

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a rule as follows:

3 CSR 10-5.340 Resident Fishing Permit is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2002 (27 MoReg 1182–1183). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Department of Conservation received three (3) comments on the proposed amendment.

COMMENT: The commenters expressed objection to higher permit fees for resident permits.

RESPONSE: As a result of these comments, the commission is withdrawing this amendment.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a rule as follows:

**3 CSR 10-5.345 Resident Small Game Hunting Permit
is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2002 (27 MoReg 1184–1185). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Department of Conservation received three (3) comments on the proposed amendment.

COMMENT: The commenters expressed objection to higher permit fees for resident permits.

RESPONSE: As a result of these comments, the commission is withdrawing this amendment.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.351 Resident Firearms Any-Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2002 (27 MoReg 1186–1187). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: The Department of Conservation received three (3) comments on the proposed amendment.

COMMENT: The commenters expressed objection to higher permit fees for resident permits.

RESPONSE: Comments were shared with the Missouri Conservation Commission. Parity with other states is an important part of determining permit prices, but more important is the amount of funding provided by sportsmen. Traditionally permittees' contributions have made up around twenty percent (20%) of the Department of Conservation's budget. These permit fee increases will maintain the important role of sportsmen and help to fund increased efforts to monitor the health of Missouri's deer herd. The Conservation Commission believes the fee structure to be equitable; therefore no revision to the published fee structure will be made.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.359 Resident Managed Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2002

(27 MoReg 1188–1189). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: The Department of Conservation received three (3) comments on the proposed amendment.

COMMENT: The commenters expressed objection to higher permit fees for resident permits.

RESPONSE: Comments were shared with the Missouri Conservation Commission. Parity with other states is an important part of determining permit prices, but more important is the amount of funding provided by sportsmen. Traditionally permittees' contributions have made up around twenty percent (20%) of the Department of Conservation's budget. These permit fee increases will maintain the important role of sportsmen and help to fund increased efforts to monitor the health of Missouri's deer herd. The Conservation Commission believes the fee structure to be equitable; therefore no revision to the published fee structure will be made.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.360 Resident Archer's Hunting Permit **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2002 (27 MoReg 1190–1191). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: The Department of Conservation received three (3) comments on the proposed amendment.

COMMENT: The commenters expressed objection to higher permit fees for resident permits.

RESPONSE: Comments were shared with the Missouri Conservation Commission. Parity with other states is an important part of determining permit prices, but more important is the amount of funding provided by sportsmen. Traditionally permittees' contributions have made up around twenty percent (20%) of the Department of Conservation's budget. These permit fee increases will maintain the important role of sportsmen and help to fund increased efforts to monitor the health of Missouri's deer herd. The Conservation Commission believes the fee structure to be equitable; therefore no revision to the published fee structure will be made.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a rule as follows:

3 CSR 10-5.365 Resident Turkey Hunting Permits **is withdrawn**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2002 (27 MoReg 1192–1193). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Department of Conservation received three (3) comments of the proposed amendment.

COMMENT: The commenters expressed objection to higher permit fees for resident permits.

RESPONSE: As a result of these comments, the commission is withdrawing this amendment.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a rule as follows:

3 CSR 10-5.420 Youth Deer and Turkey Hunting Permit **is withdrawn**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2002 (27 MoReg 1194–1195). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Department of Conservation received three (3) comments on the proposed amendment.

COMMENT: The commenters expressed objection to higher permit fees for resident permits.

RESPONSE: As a result of these comments, the commission is withdrawing this amendment.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a rule as follows:

3 CSR 10-5.440 Daily Fishing Permit **is withdrawn**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2002 (27 MoReg 1196–1197). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Department of Conservation received three (3) comments on the proposed amendment.

COMMENT: The commenters expressed objection to higher permit fees for resident permits.

RESPONSE: As a result of these comments, the commission is withdrawing this amendment.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a rule as follows:

3 CSR 10-5.445 Daily Small Game Hunting Permit is **withdrawn**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2002 (27 MoReg 1198-1199). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Department of Conservation received three (3) comments on the proposed amendment.

COMMENT: The commenters expressed objection to higher permit fees for resident permits.

RESPONSE: As a result of these comments, the commission is withdrawing this amendment.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.525 Paddlefish is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2002 (27 MoReg 1319). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 7—Wildlife Code: Hunting: Seasons, Methods,
Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.435 Deer: Seasons, Methods, Limits is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2002 (27 MoReg 1319-1320). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 60—Vocational and Adult Education
Chapter 100—Adult Education**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, RSMo Supp. 2002 and 178.430, RSMo 2000, the board hereby amends a rule as follows:

5 CSR 60-100.010 is amended.

A notice of proposed rulemaking was not published because state program plans required under federal education acts or regulations are specifically exempt under section 536.021, RSMo. Public hearings were held on March 22, 1999 in Independence; March 23, 1999 in Jefferson City; March 24, 1999 in Sikeston; March 25, 1999 in St. Peters; and March 26, 1999 in Springfield and a revision hearing was held on December 17, 2001. Comments received were considered prior to submitting the application to the United States Department of Education.

This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*. This rule describes Missouri's adult education programs, services, and activities, in accordance with the Adult Education and Family Literacy Act of 1998 (Title II of the Workforce Investment Act of 1998, Public Law 105-659).

5 CSR 60-100.010 Missouri State Plan for Adult Education. The board is amending the incorporated by reference material and the fiscal note.

PURPOSE: *This amendment, of incorporated by reference material, is needed to bring the program plan into compliance with federal statutes. This rule incorporates the amended state plan for adult education, which serves as an agreement between state and federal governments regarding the conduct and administration of the program in Missouri.*

PUBLISHER'S NOTE: *The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.*

AUTHORITY: *sections 161.092, RSMo Supp. 2002 and 178.430, RSMo 2000. Original rule filed Oct. 15, 1975, effective Oct. 26, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 24, 2002.*

PUBLIC COST: *This order of rulemaking will cost state agencies or political subdivisions in the aggregate of \$16,639,181 for Fiscal Year 2003 based on the monies expected to be available from the U.S. Department of Education with that cost recurring over the life of the rule subject to annual appropriations.*

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Title: 5 - Department of Elementary and Secondary Education

Division: 60 - Vocational and Adult Education

Chapter: 100 - Adult Education

Type of Rulemaking: Order of Rulemaking

Rule Number and Name: 5 CSR 60-100.010 Missouri State Plan for Adult Education

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated cost of Compliance in the Aggregate	
Department of Elementary and Secondary Education (Reimburse Education Agencies)	General Assembly	\$5,989,597
	Workforce Investment Act of 1998, Title II	\$10,649,584
	Total	\$16,639,181

III. WORKSHEET

The cost estimate presented above is the combined total of the monies expected to be available from the U.S. Department of Education and the General Assembly appropriations to the Department of Elementary and Secondary Education to be disbursed for Fiscal Year 2003. The estimate will vary annually based on increases or decreases to appropriated amounts with that cost recurring annually over the life of the rule.

IV. ASSUMPTIONS

Reimbursements to grantees are based on the actual costs of staffing, training and professional development activities, equipment, materials and supplies, etc. Grantees must agree to expend funds to meet the intended purposes of the granting program and in accordance with their approved application.

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 4—Unemployment Insurance**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under section 288.220, RSMo 2000, the division adopts a rule as follows:

8 CSR 10-4.180 Coverage of Indian Tribes is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 15, 2002 (27 MoReg 1200-1202). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan Area**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-5.380 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 1010-1031). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received sixty (60) comments from the following organizations or entities: the Alliance of Automotive Service Providers of Missouri (AASP MO), the American Automobile Association of Missouri (AAA MO), the American Lung Association of Eastern Missouri (ALAEM), Environmental Systems Products Missouri (ESP MO), Autotech Auto Centers, Missouri Air Conservation Commission, Sun Service Center, SouthSide Motors, St. Louis County Air Pollution Control Program, the United States Environmental Protection Agency Region VII (EPA), and Robert L. Weil.

COMMENT: The Commission commented that this rule allows used car dealers to sell vehicles that have received a waiver. Used car dealers are then selling used cars that are not in compliance with our standards. This should not be allowed.

RESPONSE: State statute 643.315.5, RSMo allows car dealers to sell used vehicles with a waiver or without a passing certificate, provided they disclose that they are doing so on the bill of sale. Therefore, the language in paragraph (3)(B)2. cannot be strengthened to require used car dealers to sell vehicles that have passed the emissions test unless the statute is amended by the Missouri General Assembly. No change was made to the proposed rule text as a result of these comments.

Due to similar concerns addressed in the following three (3) comments, one (1) response that addresses these concerns can be found at the end of these three (3) comments.

COMMENT: AAA MO commented that as new paragraph (3)(F)3. is written, this section would require that any vehicle that has an aftermarket component in its exhaust system would be rejected from being inspected. They suggest that this section be reworded to allow for appropriate aftermarket components.

COMMENT: AASP MO commented that the word configuration needs to be added after the word system in paragraph (3)(F)3.

COMMENT: Mr. Weil commented that in paragraph (3)(F)3., the intent was not to limit where parts for the exhaust system are purchased, but this is what it has done. The word configuration needs to be added after the word system.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program agrees. Paragraph (3)(F)3. has been amended to include the word configuration after the word system.

Due to similar concerns addressed in the following four (4) comments, one (1) response that addresses these concerns can be found at the end of these four (4) comments.

COMMENT: AASP MO commented that the word aftermarket needs to be removed from subparagraph (3)(I)1.D. There are a lot of quality aftermarket parts that meet or exceed the manufacturer's standards.

COMMENT: Mr. Weil commented that subparagraph (3)(I)1.D. would require only dealer parts to repair any vehicle. This language could be a real problem since vehicles over ten (10) years old may only find certain parts available in the aftermarket. If all used or salvaged parts are not allowed for the waiver, a used motor could not be used. In the case of an older vehicle, that may be the only practical fix. But, if used parts are not allowed to be used, an unnecessary hardship would be placed on the public, and that hardship would not improve air quality. The determining factor on used parts should be a retest and if a reduction in the failure gas is shown without an increase in the gases that did pass the first time, the vehicle should then receive a waiver. There is no EPA certification on aftermarket parts.

COMMENT: AAA MO commented that subparagraph (3)(I)1.D. requires a motorist, in order to qualify for a waiver where used or aftermarket emission control component parts were used, to present to the department representatives written certification from the supplier or aftermarket manufacturer that the components function as well as the originally designed component. A number of auto savvy folks within their organization don't have a clue as to how to go about getting the required written certification on used or aftermarket parts. It is an unnecessary burden on motorists.

COMMENT: AAA MO commented that subparagraph (3)(I)1.F. has a prohibition against the use of aftermarket emission control components. The EPA is the appropriate federal agency to ensure that the aftermarket emission control parts perform adequately. If the aftermarket part performs properly and controls emissions it should be accepted.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program agrees. Subparagraphs (3)(I)1.D. and F. have been amended to allow vehicles to be repaired with used or aftermarket parts.

COMMENT: AASP MO, Sun Service Center and Autotech Auto Center commented that they were in favor of the continuing education requirement for Recognized Repair Technicians.

RESPONSE: The department's Air Pollution Control Program appreciates this support for the rule. No change was made to the proposed rule text as a result of these comments.

COMMENT: AASP MO, Sun Service Center and Autotech Auto Centers commented that they were in favor of proper documentation on repair orders.

RESPONSE: The department's Air Pollution Control Program appreciates this support for the rule. No change was made to the proposed rule text as a result of these comments.

Due to similar concerns addressed in the following two (2) comments, one (1) response that addresses these concerns can be found at the end of these two (2) comments.

COMMENT: EPA commented that the term visual test is used in subsection (5)(G) to identify the type of test. They recommend that the test be identified as a visual observation of emission control devices.

COMMENT: ESP MO commented that in an effort to promote program efficiency and further reduce wait times at the test stations, they recommend the elimination of in-lane tampering inspections beyond the initial test failure. All subsequent in-lane tampering inspections on the same vehicle have very little value, add needlessly to the test duration and produce very little benefit to the program. Should this recommendation to eliminate repeat tampering inspections be adopted, they will modify the current inspection software to ensure that the results of the initial tampering inspection on a vehicle be carried through its test history. Should the vehicle eventually be presented with an application for a repair waiver, the cost of any missing or tampered emissions components would be excluded in the costs applicable toward the waiver. As well, their staff would continue to perform the current comprehensive component tampering inspection at the time of a repair waiver application, enforcing the current program rule.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program agrees. The term visual test in subsection (5)(G) and throughout the rule has been replaced with the term anti-tampering test to better describe the purpose of this test method. The language in paragraphs (3)(H)3.-5. and subsection (5)(G) has been modified to make it clear that the anti-tampering test will only be required on vehicles that fail their initial emission inspection and on vehicles that fail a reinspection and whose owners then apply for a compliance waiver.

COMMENT: EPA, AASP MO, Autotech Auto Centers and Mr. Weil commented that the proposed language in parts (3)(I)1.C.(I) and (II) requiring a reduction in tailpipe emissions prior to issuing a waiver is a good improvement to the program.

RESPONSE: The department's Air Pollution Control Program appreciates this support for the rule. No change was made to the proposed rule text as a result of these comments.

Due to similar concerns addressed in the following eight (8) comments, one (1) response that addresses these concerns can be found at the end of these eight (8) comments.

COMMENT: The Commission commented that the language in part (3)(I)1.C.(III) says that if a 1996 model year vehicle got an estimate from a repair technician that it's going to be six hundred seventy-five dollars (\$675), which is fifty percent (50%) greater than the four hundred fifty dollars (\$450), to repair, then the motorist can go ahead and have the car serviced, pay four hundred fifty dollars (\$450) and not have to show improvement in emissions. If you are spending four hundred fifty dollars (\$450) you sure want to show some improvement in emission in your vehicle or wonder why you're spending this money.

COMMENT: EPA commented that the language in part (3)(I)1.C.(III) weakens the already low requirements for issuance of a waiver. It would allow a waiver to be issued based upon the estimated cost of the applicable repair. EPA's rule allows the issuance of a waiver only after all qualifying repairs have been completed and the vehicle has failed a retest. They recommend that this paragraph be removed as it is inconsistent with our rule.

COMMENT: AASP MO commented that the language in part (3)(I)1.C.(III) should be removed in its entirety.

COMMENT: Mr. Weil commented that the language in part (3)(I)1.C.(III), in effect, nullifies the test for the worst polluting vehicles. These vehicles are the very vehicles which need effective repairs the most. Owners will seek out someone who will, for a fee, write up their vehicle to need a new engine. No improvement of air quality will be achieved by this waiver.

COMMENT: AAA MO commented that the language in part (3)(I)1.C.(III) requires a vehicle to go to the state quality assurance waiver facility to obtain a waiver. They suspect that there may be only one (1) of these facilities within the four (4)-county region. They suggest that approval of these waivers not require a motorist to present his vehicle at a single location.

COMMENT: Sun Service Center commented that I don't see part (3)(I)1.C.(III) being a solution to any problem. They think they'll be stuck in the same rut, unfortunately. The problem is that someone with a bad engine or a shop that's in a lesser part of town that sees a lot of broken cars will be giving estimates for cars that are never going to be repaired. If these vehicles can get an estimate and only have to spend two hundred dollars (\$200) to receive a waiver just because the car has a lot of faults, there's no question that will just be a paper trail for him. That's not going to fix any more cars. So he'd like to see part (3)(I)1.C.(III) removed.

COMMENT: Autotech Auto Centers commented that estimates for waivers will just strictly be a burden on a small vehicle repair shop owner, like herself. They have to dedicate a lot of my time to just giving estimates so that they can get waivers and that will cut away from the value they can give to customers. It's just going to take away from her effectiveness in this program.

COMMENT: ESP MO felt that this proposed language in part (3)(I)1.C.(III) would prove very difficult to administer and has the potential to greatly increase the number of repair waivers with little or no air quality benefit. At the current time, the repair waiver rules only authorize waivers after actual monies have been expended on diagnostics and/or repairs. Allowing repairs to be issued purely based on repair estimates brings a true element of interpretation and subjectivity into the issue that will likely be highly problematic from an administrative standpoint. Based on their experience in the industry, they predict that a potentially significant number of repair waiver applications will be presented if this proposed language is enacted as written. This proposed rule language represents a significant change from the current repair waiver procedure, which is primarily a simple verification of actual costs of repair. They feel that the proposed language in part (3)(I)1.C.(III) should be eliminated.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program agrees and has deleted part (3)(I)1.C.(III).

Due to similar concerns addressed in the following six (6) comments, one (1) response that addresses these concerns can be found at the end of these six (6) comments.

COMMENT: AASP MO commented that the proposed must show improvement rule language should not be tied to a certain percentage or standard. If a failed vehicle is required to show an improvement in the failed gas without an increase to the other gases prior to the issuance of a waiver, it will greatly improve the I/M program. This will force failed vehicles to be properly repaired. Also, we would be closer to obtaining our goal of cleaning up the air.

COMMENT: Mr. Weil commented that the waiver language should state that in order to receive a waiver for any vehicle requiring an emission test, the vehicle must show improvement on the retest without the other gases that passed on the first test now failing.

COMMENT: AAA MO commented that to uncomplicate the waiver process, they suggest that the Commission adopt a waiver standard that is not tied to specific cutpoints as proposed in subsection (3)(J). However, they urged that show improvement be retained.

COMMENT: EPA commented that the language in paragraph (3)(J)6. sets compliance waiver emission standards for On-Board Diagnostics (OBD)-equipped vehicles. Additional language is needed to clarify that this is only applicable to the very few vehicles that, due to manufacturer's design, cannot be tested using the OBD test.

COMMENT: AAA MO commented that paragraph (3)(J)6. appears to offer a waiver provision for OBD inspected vehicles that fail the OBD and transient inspection during the phase-in of OBD inspections. It actually provides a waiver of the OBD portion of the inspection but no waiver from the transient inspection. They urged the Commission to allow for a waiver of both the OBD and the transient test, both during and following the phase-in period for OBD inspections.

COMMENT: AAA MO commented that subparagraph (3)(J)6.B. is one of the sections that they disagree with the most. They urged the Commission to insist that motorists be treated fairly in determining their contributions to emissions and that regulations be adopted that take into account the non-emission related diagnostic trouble codes that cause the malfunction indicator lamp (MIL) to turn on.

RESPONSE AND EXPLANATION OF CHANGE: If manufacturers have designed and certified their vehicles to store diagnostic trouble codes that both the EPA and the manufacturer consider to be emission-related and that cause the dashboard MIL to illuminate, then the department's Air Pollution Control Program will fail and require the repair of vehicles that have these diagnostic trouble codes stored in their OBD system. As a result of these comments, the language in subsection (3)(I) has been modified and the language in subsection (3)(J) deleted so that, for a vehicle to receive a waiver, the amount of reduction necessary is not specified, but must be measurable. Since OBD-equipped vehicles will not receive a tailpipe test after the OBD phase-in period, they will not be eligible to receive a waiver after the phase-in period ends. As a result of deleting the proposed language in subsection (3)(J), all subsequent subsections have been renumbered.

Due to similar concerns addressed in the following fourteen (14) comments, one (1) response that addresses these concerns can be found at the end of these fourteen (14) comments.

COMMENT: AASP MO commented that the minimum waiver spending amount should be four hundred fifty dollars (\$450) across the board instead of having it staggered the way it is. This minimum waiver spending amount would allow repair shops to diagnose the vehicle and repair it. Today, the vehicle owners come in and are not concerned about having their vehicles pass. They only want to spend two hundred dollars (\$200) for a waiver, taking an effective repair out of the shop's hands. They would not suggest this increase in the minimum waiver spending amount unless "must show improvement" is also a requirement.

COMMENT: Mr. Weil commented that the waiver language should state that in order to receive a waiver for any vehicle requiring an emission test, four hundred fifty dollars (\$450) must be spent on emission repairs. If the waiver amounts are left at the current amounts of seventy-five dollars (\$75), two hundred dollars (\$200) or four hundred fifty dollars (\$450), and the words—must show improvement—are applied, we will still see improvement. This can be done by changing the intent of the technicians and owners from waiver fix that really is not fixing anything to looking for a method to reduce emissions.

COMMENT: AAA MO suggested that the current dollar amount for waiver repairs in subparagraphs (3)(I)2.A.–C. be retained.

COMMENT: SouthSide Motors commented that many of their customers are elderly retirees on fixed incomes. The vehicles they drive are old, and do not travel many miles. They have had several that initially failed their emissions inspection, had diagnostic and repair work performed, and still did not pass. They were able to obtain waivers based solely on the type of work performed, and the amount spent. To continue to ask these people to have to spend more money and time on their vehicles would be a hardship.

COMMENT: Sun Service Center commented that seventy-five dollars (\$75) doesn't fix much. Considering most labor rates across the St. Louis area, one (1) hour of diagnosis can exceed the seventy-five dollar (\$75) minimum spending requirement for waivers of 1971–1980 model year vehicles. If they're going to leave that limit so low, they really don't understand why. If we're going to allow these older vehicles to waiver at all, then let the minimum spending requirement be four hundred fifty dollars (\$450). The frustration they have is not being able to fix too many cars in the part of town they're in. They pride themselves on thinking that, at two hundred dollars (\$200), their repair shop is fixing over fifty percent (50%) of the cars they see. Some of these cars are in pretty bad shape, and the cars they see are not cars that have just a few problems. The idea of a minimum spending requirement of four hundred fifty dollars (\$450) is not just to create a four hundred fifty dollar (\$450) repair bill for waiver purposes, but to get away from the cost mentality and approach the repair from a mentality of doing the most for air quality by completely fixing the car.

COMMENT: The Commission commented that local garages charge seventy dollars (\$70) an hour labor if you take it just to have them diagnose the vehicle. An hour's time is not unreasonable to diagnose the vehicle, and this expense does not count the cost of any repair.

COMMENT: Sun Service Center commented that they don't use the word limit when discussing waivers with customers. They don't know how that word got changed. It used to be waiver minimum. There's a big difference in their eyes to what's a minimum and what's a limit. They would like to see that terminology changed. If the minimum is four hundred fifty dollars (\$450), maybe they can spend six hundred dollars (\$600) and really fix the car and really do something for air quality.

COMMENT: Mr. Weil commented that waiver amounts need to be increased automatically with the cost of living increase every two (2) years. This has not happened and dollar amounts are getting out-of-date.

COMMENT: The Commission commented that the rule proposal doesn't currently have provisions to raise the waiver amounts for inflation.

COMMENT: SouthSide Motors commented that if these new rules are to be instituted, exceptions or exemptions should be made for elderly retirees on fixed incomes or old vehicles that do not travel many miles.

COMMENT: AASP MO commented that to increase the effectiveness of the program, allow a vehicle to be waived for one (1) test cycle only. At present, you can continue to waiver a vehicle for an unlimited amount of time. By doing so, we are allowing the vehicles that are polluting the most to stay on the road.

COMMENT: Sun Service Center commented that they don't want to put hardship on the wrong people. But if someone knows going in that you're going to be excused this time and only this time and you have two (2) more years to correct your engine problem or to move towards replacing your car. Two (2) years is a pretty good warning. So they'd like the waiver to be a one (1) time possibility. They think it's not a hardship for anyone.

COMMENT: AASP MO commented that if we are really serious about clean air, we should do away with waivers. The waived vehicles are still polluting and will continue to do so.

COMMENT: Autotech Auto Centers commented that we need to eliminate the waivers. The consensus is that waivers are a joke, and everyone that comes in to their repair shop is frustrated.

RESPONSE AND EXPLANATION OF CHANGE: To find the middle ground among all of these comments, the department's Air Pollution Control Program has added new paragraph (3)(I)2. and modified paragraph (3)(H)7. and renumbered paragraph (3)(I)3. to raise the minimum spending amount to two hundred dollars (\$200) for 1971–1980 model year vehicles and four hundred fifty dollars (\$450) for 1981 and newer model year vehicles and to emphasize that the spending requirements are minimums, not limits.

The department's Air Pollution Control Program realizes that these changes will affect those living on fixed incomes and those who drive older vehicles. However, the minimum waiver spending requirements must be set at a sufficiently high level to ensure that the majority of failed vehicles are either fully repaired or removed from the road. Without an increase in the minimum waiver spending requirements, the I/M program will not be as effective as it was designed to be, and the air quality in the St. Louis area will not improve. Unless the air quality improves, the health of children, retirees, and those who suffer from diminished lung capacity due to disease will continue to be in jeopardy. Put another way, retirees living on fixed incomes will directly benefit from improved air quality if they are required to pay for effective repairs that reduce their vehicle's emissions. They often will also benefit from an increase in the fuel economy of their vehicle, which over time will pay for the cost of the repairs with reduced refueling costs.

During the OBD phase-in period, waivers have not been specifically eliminated, limited to one (1) per vehicle, adjusted for the cost of living change over time, or created for persons on fixed incomes or low-mileage vehicles. After the OBD phase-in period ends, waivers have been eliminated for 1996 and newer model year vehicles, which will make up an ever increasing percentage of the tested vehicles. As a result, the cost of repairing 1996 and newer model year vehicles will be adjusted for the cost of living change over time. As a result of this change, the rule's fiscal notes have been revised and are attached at the end of this rulemaking.

Due to similar concerns addressed in the following four (4) comments, one (1) response that addresses these concerns can be found at the end of these four (4) comments.

COMMENT: The Commission commented that if OBD testing is so excellent, why is it necessary to wait for 2005 to begin OBD testing? It seems like a long phase-in period.

COMMENT: The St. Louis County Air Pollution Control Program strongly supports the proposed regulation change to require on-board diagnostic testing of automobiles and light trucks in the St. Louis nonattainment area. They believe that the more up-to-date the tools are available to reduce air pollution in the region, the better off all of us will be, and the stronger will be our position to attain and to maintain the National Ambient Air Quality Standard for ozone, both for the one (1)-hour standard, and for the impending eight (8)-hour standard.

COMMENT: The ALAEM supports the proposed rule change as an important step in regional efforts to improve our air quality. This change will make the Gateway Clean Air Program more effective and more convenient for vehicle owners. With the proposed rule change in place, more vehicles failing the emissions test may be required to undergo improvements, likely decreasing the amount of pollutants emitted from automobiles. This will improve our air quality and decrease the number of individuals subjected to air pollution. Additionally, the new testing method will prove to be more customer friendly, take less time to perform, and have fewer harmful consequences for the vehicles.

COMMENT: Sun Service Center commented that as far as OBD implementation, they'd like to see it happen tomorrow, but they do think that you have to move into it slowly. We really need to work on getting the information out to the motorists. Not every technician in town is ready for OBD repairs. A lot of those repairs start out under warranty, and now they're starting to get quite a few of them coming into the shop that are finally out of warranty. There's no reason to jump in too quick because if you do, then we make a mess of everything.

RESPONSE: The department's Air Pollution Control Program appreciates the support of the St. Louis County Air Program and the American Lung Association of Eastern Missouri for this rule amendment. By phasing in OBD testing for a two (2)-year period, the St. Louis area public and the vehicle repair industry will have an opportunity to learn about the benefits of this useful technology and when

the phase-in period ends, the use of OBD testing will be more successful. No change was made to the proposed rule text as a result of these comments.

COMMENT: The EPA commented that the language in subsection (3)(H) allows the use of all test methods for 1996 and newer model year vehicles during the phase-in period of January 1, 2003, through December 31, 2004. During the same time period, additional language in paragraphs (5)(C)7. and (5)(E)3. state that during the initial inspection or reinspection that if the vehicle fails the OBD test, then the vehicle shall be tested with the transient emissions test. EPA's rule calls for the use of the OBD test only for the retest. Thus, the state's proposed requirements for the OBD test are inconsistent with the EPA's. They recommend that the rule be revised to be consistent with their rule. The rule is not approvable as proposed.

RESPONSE: While EPA's final rulemaking intent may have been for OBD-equipped vehicles that initially fail both the OBD and tailpipe test to pass an OBD-I/M retest during the OBD phase-in period, EPA's actual rule language does not specifically call for the use of the OBD test only for the retest. The actual OBD testing rule language in 40 CFR 51.357(a)(12) allows states to choose to phase-in OBD-I/M testing for one (1) test cycle and to require the repair and retest for only those vehicles which proceed to fail the tailpipe test. The actual OBD reporting rule language in 40 CFR 51.366(a)(2)(xiii) and (xiv), respectively, requires states to report the number and percentage of vehicles failing the on-board diagnostic check and passing or failing the tailpipe test (if applicable). It does not limit these reporting requirements to initial inspections only.

The actual final OBD rulemaking language states that, during the OBD phase-in period, states may choose to retest failed OBD-equipped vehicles with both the OBD and IM240 tests, and that repairs are only necessary if these vehicles also fail a tailpipe test. Since the final rulemaking allows vehicles that initially fail the OBD test but pass the tailpipe test to be considered passing vehicles during the phase-in period, the department's Air Pollution Control Program intends to treat retested vehicles in the same manner. If a retested vehicle should pass the OBD test, then it will be considered a passing vehicle. If a retested vehicle should fail the OBD test, but pass the IM240 test, then it will be considered a passing vehicle. Vehicles will only fail a retest during the OBD phase-in period if they also fail the IM240 retest. Because the Clean Air Act provides states with the flexibility to offer waivers for any failure as long as the minimum expenditure requirements are met, during the phase-in period, vehicles that fail the OBD and IM240 retests but have had at least four hundred fifty dollars (\$450) of repairs and shown a reduction in tailpipe emissions will be eligible to receive a compliance waiver.

Regardless of whether a vehicle that fails its emission inspection during the OBD phase-in period is retested with just an OBD test or with both an OBD and IM240 test, the vehicle will likely be repaired in such a way as to be able to pass both tests. It is highly unlikely that a motorist will ask their repair technician to repair the elevated emissions problem indicated by the failing IM240 test and ignore the diagnostic trouble codes (DTCs) or illuminated MIL as indicated by the failing OBD test. In order for the repair technician to successfully reduce the tailpipe emissions, he or she will have to use the OBD system and the DTCs stored by the vehicle to diagnose the cause of the elevated emissions. In order to be successful in the eyes of the repair shop's customer, the repair shop will want to ensure that the MIL is properly extinguished, that the DTCs are cleared, and the vehicle remains that way. Therefore, the department's Air Pollution Control Program does not anticipate that the number of vehicles that fail an OBD retest but pass an IM240 retest will be significant or will have a negative impact to air quality. No change was made to the proposed rule text as a result of this comment.

COMMENT: AAA MO commented that because OBD systems do not measure emissions, they hope that the Commission has received assurances from the appropriate legal staff that it has the authority to

require preventative maintenance on vehicles showing OBD DTCs as a requirement for vehicle licensing. If the Commission does not have the specific legislative authority to require such preventative maintenance, they urge that it be sought prior to enacting any rule requiring OBD as an emission failure mechanism regarding vehicle licensing.

RESPONSE: The state statutes authorizing the enhanced emissions I/M program do give the Commission the necessary authority. Specifically, 643.305.1, RSMo requires the Commission to adopt a state implementation plan to bring all nonattainment areas of the state into compliance with and to maintain the National Ambient Air Quality Standards. 643.310.1, RSMo gives the commission the authority to establish a motor vehicle emissions inspection state implementation plan that incorporates and receives all applicable credits allowed by the U.S. EPA, and that the state implementation plan, which incorporates the state rule, take full advantage of any changes in requirements of the federal Clean Air Act and the regulations promulgated thereunder. No change was made to the proposed rule text as a result of this comment.

COMMENT: AAA MO commented that new paragraph (3)(G)7. incorporates by reference OBD test standards specified by EPA in 40 CFR part 85, section 2207. They were not comfortable with the degree of planning and testing that EPA did prior to implementing OBD testing and would suggest that it would be prudent not to incorporate these by reference, but to repeat the standard in the state rule so that it can be more easily modified should the need arise. For example, there are certain makes and models of vehicles that are known to have readiness code issues and communications problems that are not taken into account by this reference standard. They urged the Commission to adopt regulations that take into account the problems with vehicles, through no fault of the vehicle owner, that cannot communicate with the testing equipment, cannot be repaired to meet the standard or meet the testing requirements. They urged the Commission not to allow a system to be constructed that fails to recognize the occasional flaws in technology and places this blind faith in technology above the legitimate concerns of individuals. The U.S. EPA is beginning to identify the makes and models of vehicles that have particular problems and there should be a mechanism in the state program that provides for these circumstances. While the number of vehicle owners that will find themselves in this situation may be small, to not recognize these problem situations and provide relief, will only serve to further weaken any support for the program. The proposed rule does not adequately deal with these situations. There are other sections that reference the EPA regulations and they offered the same comment regarding including them by reference.

RESPONSE: The department's Air Pollution Control Program understands that the unknowns of a new vehicle emission inspection technology and paradigm can be intimidating. The department's Air Pollution Control Program has carefully analyzed the OBD studies conducted by the EPA and is comfortable with the degree of planning that led to the final federal rulemaking. In addition, the department's Air Pollution Control Program is familiar with the challenges of OBD testing that have been successfully overcome by the states that are already benefiting from the start of OBD testing.

The language in subparagraphs (5)(E)3.A. and (5)(E)4.A. provides relief for the circumstances that are described in the comment above. The advantage of incorporating the federal OBD requirements by reference into this state rule is that, as soon as any changes to the federal OBD testing requirements are identified and changed by the EPA, they can become effective in the Missouri I/M program, without a state rulemaking process which takes an average of twelve (12) months. No change was made to the proposed rule text as a result of this comment.

COMMENT: EPA commented that the current, federally approved state implementation plan (SIP) for the I/M program includes emission reductions credit obtained from the purge test. The language in

paragraph (3)(F)6. removes the purge test from the rule. Such a change could jeopardize Missouri's ability to show it has achieved all the reductions called for in the fifteen percent (15%) rate of progress SIP.

RESPONSE AND EXPLANATION OF CHANGE: The current, federally approved Missouri I/M SIP and state rule do include a provision for purge testing if a non-intrusive procedure becomes available and is approved by the EPA. However, the MOBILE 5B files included in the Missouri I/M SIP do not model any emission reduction credits obtained from purge testing.

Since the EPA removed the purge test standards, procedures, specifications, and quality control practices from their April 2000 *IM240 & Evap Technical Guidance*, the department's Air Pollution Control Program had proposed to amend the rule language in paragraph (3)(F)6., subparagraphs (3)(H)3.B. and C., subsections (5)(D)-(E) and original part (6)(B)1.E.(VI) to remove all references to purge testing. However, to ensure that Missouri's rate of progress SIP reductions are not jeopardized, the department's Air Pollution Control Program has added new subsection (5)(I) to continue to commit to conducting purge testing if a non-intrusive procedure becomes available and is approved by the EPA.

As a result of reviewing the rule language pertaining to this comment, the department's Air Pollution Control Program made minor changes to subparagraphs (3)(H)3.C., (3)(H)4.B. and (3)(H)5.B. and paragraphs (3)(I)4., (4)(A)1. and (4)(B)1. to clarify that only one (1) evaporative system pressure test is being used and that the reporting requirements should be consistent for passing and failing vehicles.

COMMENT: AAA MO commented that paragraph (1)(B)8. provides for an exemption to emission testing for new vehicles for up to two (2) years. They urged the Commission to provide for a four (4)-year exemption for new vehicles to conform to the regulations of other states such as Illinois and California.

RESPONSE: Paragraph (1)(B)8. is a direct requirement of state statute 643.315.3(6), RSMo. The Commission does not have any legislative directive to conform its regulations to those of other states and cannot exceed its authority by providing an exemption that exceeds state statute. No change was made to the proposed rule text as a result of this comment.

COMMENT: AAA MO commented that original paragraph (3)(F)3. is proposed for deletion, which would eliminate the requirement that vehicle owners receive a time card for the verification of arrival time and wait time. There is nothing in the proposed rule that replaces the requirement that inspection patrons receive a time stamped card to verify their wait. This provision seemed like a good consumer protection element of the program to help enforce the provisions for fee reductions for excessive wait times. Unless there is another provision that covers this section, they suggest that the contractor continue to be required to adhere to this requirement.

RESPONSE: New paragraph (3)(F)1. contains and clarifies the language that was deleted from original paragraph (3)(F)3. No change was made to the proposed rule text as a result of this comment.

COMMENT: ESP MO commented that throughout the proposed amendment, the proposed language lists only the station manager, assistant manager or department representative as the authorized personnel to implement and execute specific tests or procedures. This verbiage is overly restrictive as it allows only two (2) groups of personnel to perform said functions. If strictly interpreted, the proposed change disallows other personnel currently authorized to perform such duties. In the ESP MO management structure, station management teams report to district managers, who report to the operation manager and, in turn, the program manager. Restricting authorization to the station management teams will exclude ESP MO personnel of higher authority from being able to assist a motorist should they be on-site when a concern is raised. ESP MO recommends that the verbiage station manager, assistant manager or department representative

be changed in all instances to say duly authorized representative. As it has been in the past, the determination of the ESP MO personnel that fall under this definition will be made by the department.

RESPONSE: The department's Air Pollution Control Program intends for the station manager, assistant station manager or department representative to be actively involved in the issuance of vehicle refusals, described in subsection (3)(F), and the issuance of compliance waivers, described in subsection (3)(I). Therefore, the term duly authorized representative is not sufficiently specific to describe who can issue vehicle refusals and compliance waivers. The department's Air Pollution Control Program understands that district managers, the operation manager, and the program manager may be on-site and involved in the issuance of vehicle refusals and compliance waivers. Existing rule language includes those of higher ESP MO authority in the term station manager. No change was made to the proposed rule text as a result of this comment.

COMMENT: Staff commented that typographical errors were made in new subparagraph (3)(H)3.A. and new paragraph (5)(C)2. when the proposed rulemaking was published in the *Missouri Register*.

RESPONSE AND EXPLANATION OF CHANGE: The rule language has been changed to correct these typographical errors.

10 CSR 10-5.380 Motor Vehicle Emissions Inspection

(3) General Provisions.

(C) Emission Inspection Periods.

1. An emission inspection performed at an inspection station on a subject vehicle via the vehicle inspection process described in subsections (3)(F)–(I) of this rule is valid, for the purposes of obtaining registration or registration renewal, for a duration of sixty (60) days from the date of passing inspection or waiver issuance.

2. Reinspections occurring fewer than ninety (90) days after the initial emission inspection are subject to subsections (3)(H) and (I) of this rule.

3. Reinspections occurring more than ninety (90) days after the initial emission inspection shall be considered to be an initial emission inspection as defined in subsection (2)(J) and are subject to subsections (3)(F) and (G) of this rule.

4. An emission inspection performed on a subject vehicle via the clean screening inspection process described in paragraph (3)(J)1. of this rule and subsection (3)(K) of this rule are valid, for the purposes of obtaining registration or registration renewal, for a duration of sixty (60) days from the date the clean screening inspection payment is processed.

(F) Emission Inspection Procedures. The emission inspection shall meet the following requirements:

1. Prior to entering the inspection station queuing area, the vehicle owner or driver shall be presented a time card for the verification of arrival time. Wait time shall be determined by the difference in time between the time of arrival and the time that emission inspection begins;

2. If a subject vehicle is targeted for a voluntary or mandatory manufacturer's emission recall notice issued after July 1, 1995, the vehicle owner or operator shall present to the emission inspection station proof of compliance with the recall notice;

3. A vehicle shall not be inspected if all or part of the vehicle manufacturer's original exhaust system configuration is missing, leaking, or if the vehicle is in an unsafe condition as defined in subsection (2)(U) of this rule and determined by either the inspector or the department representative. If a motor vehicle is refused for inspection, then the station manager, assistant station manager, or department representative shall give the motorist a form that identifies the reasons for inspection refusal. The reasons for inspection refusal include, but are not limited to, the safety, driveability, and test procedure concerns as determined by the station manager, assistant station manager, or department representative. No fee shall be charged for this inspection;

4. The vehicle owner or driver shall have access to an area in the inspection station that permits observation of the entire official inspection procedure of the vehicle being inspected. This access may be limited, but it shall not prevent observation;

5. Vehicles shall be inspected in as-received condition. An official inspection, once initiated, shall be performed in its entirety regardless of immediate outcome, except in the case of an invalid test condition, unsafe conditions, or test completion via fast pass algorithms;

6. The initial emission inspection shall be performed according to the test methods described in subsections (5)(A)–(G) of this rule without repair or adjustment at the emission inspection station prior to commencement of any tests, except as provided for in the evaporative system pressure test. Emission inspections performed within ninety (90) days of the initial emission inspection shall be considered a reinspection and are subject to provisions of subsection (3)(H) of this rule;

7. If a subject vehicle passes all emission inspection requirements within the compliance cycle described in subsection (2)(A) of this rule and the inspection period described in paragraph (3)(C)1. of this rule according to the standards described in subsection (3)(G) of this rule, the emission inspection station shall issue the vehicle owner or driver a compliance certificate certifying that the vehicle has passed the emission inspection, and place a windshield sticker on the windshield of the subject vehicle according to subsection (4)(A) of this rule. The positioning of the windshield sticker on the windshield of the vehicle shall take place on the premises of the emission inspection station;

8. If a subject vehicle fails any of the test methods described in subsections (5)(A)–(G) of this rule, the emission inspection station shall provide the vehicle owner or driver with a vehicle test report indicating which test method(s) of the emission inspection that the vehicle failed, a repair facility performance report, a repair data sheet, and a copy of the customer complaint procedure according to subsection (4)(B) of this rule; and

9. If a subject vehicle fails any of the test methods described in subsections (5)(A)–(G) of this rule, the vehicle owner must have the vehicle repaired and complete a repair data sheet before submitting the vehicle for reinspection. The vehicle shall be reinspected according to the appropriate inspection period as determined by paragraphs (3)(C)2. and 3. of this rule and the reinspection procedures described in subsection (3)(H) of this rule.

(H) Emission Reinspection Procedures.

1. Emission reinspection fee.

A. To qualify for free reinspections, the vehicle owner or driver shall present the previous vehicle test report and the completed repair data sheet to the emission inspection station within thirty (30) calendar days of the initial emission inspection.

B. Reinspections occurring more than thirty (30) calendar days after the initial emission inspection shall only be performed upon payment of the emission inspection fee to the emission inspection station.

2. Repair data sheet. For a reinspection, the vehicle owner or driver shall present the previous vehicle test report and the completed repair data sheet to the inspection station. Whether repairs were performed by the owner, a Recognized Repair Technician, or someone other than a Recognized Repair Technician, the repair data sheet must be completed and presented to the inspector at the emission inspection station prior to the start of the emission reinspection.

3. Reinspection procedure for 1971–1995 model year subject vehicles and, before January 1, 2003, for 1996 and newer model year subject vehicles.

A. Vehicles that initially fail any of the test methods described in subsections (5)(A)–(G) of this rule shall be reinspected after repairs, using the test methods described in subsections (5)(A)–(F) of this rule to determine if the repairs were effective for correcting failures on the previous inspection, thereby reducing or preventing an increase in tailpipe or evaporative emissions.

B. The reinspection shall be performed without repair or adjustment at the emission inspection station prior to tests, except as provided for in the evaporative system pressure test.

4. Reinspection procedure for 1996 and newer model year vehicles between January 1, 2003, and December 31, 2004.

A. Vehicles that fail the OBD test described in subsection (5)(E) of this rule and the transient emission test described in subsection (5)(C) of this rule shall be reinspected according to subsections (5)(A) and (5)(C)-(F) of this rule, to determine if the repairs were effective for correcting failures on the previous inspection, thereby reducing or preventing an increase in tailpipe or evaporative emissions.

B. The reinspection shall be performed without repair or adjustment at the emission inspection station prior to tests, except as provided for in the evaporative system pressure test.

5. Reinspection procedure for 1996 and newer model year vehicles after December 31, 2004.

A. Vehicles that fail the OBD test described in subsection (5)(E) of this rule shall be reinspected according to subsections (5)(A) and (5)(E)-(F) of this rule, to determine if the repairs were effective for correcting failures on the previous inspection, thereby reducing or preventing an increase in tailpipe or evaporative emissions.

B. The reinspection shall be performed without repair or adjustment at the emission inspection station prior to tests, except as provided for in the evaporative system pressure test.

6. If the subject vehicle passes a reinspection according to paragraphs (3)(H)3.-5. of this rule, then the procedures in paragraph (3)(F)7. of this rule shall be followed.

7. If the subject vehicle fails a reinspection according to paragraphs (3)(H)3.-5. of this rule, the vehicle owner may either:

A. Have more repairs performed on the vehicle and bring the vehicle back for another reinspection; or

B. Apply for a compliance waiver according to the requirements in paragraphs (3)(I)1.-4. of this rule.

(I) Emission Inspection Waivers.

1. 1971-1995 model year vehicles, and, before January 1, 2005, 1996 and newer model year vehicles, shall be issued a compliance waiver under the following conditions:

A. The subject vehicle has failed the initial emission inspection, has had qualifying repairs, and has failed an emission reinspection;

B. The vehicle operator has taken the vehicle to an emission inspection station or a state quality assurance/waiver facility and presented to the station manager, assistant station manager, or the department representative the vehicle test report, stating that the vehicle presented has failed the initial emission inspection and all subsequent emission reinspections;

C. The subject vehicle has shown a reduction in tailpipe emissions according to the following requirements:

(I) The measured tailpipe emissions of the reinspection must show a reduction in the tailpipe emissions that caused the vehicle to fail the preceding emission inspection; and

(II) The measured tailpipe emissions of the reinspection must not show an increase in any of the measured tailpipe emissions above the standards set in subsection (3)(G) of this rule;

D. The subject vehicle has all of its emission control components correctly installed and operating as designed by the vehicle manufacturer.

(I) The station manager, assistant station manager, or department representative shall use the anti-tampering test method described in subsection (5)(G) of this rule to fulfill the requirement of this subparagraph.

(II) If the vehicle fails the anti-tampering test described in subsection (5)(G) of this rule, then the vehicle will be denied a compliance waiver;

E. The vehicle operator has presented to the station manager, assistant station manager, or the department representative all item-

ized receipts of qualifying repairs. The qualifying repairs must meet the requirements of paragraph (3)(I)2. of this rule. The itemized receipts must meet the requirements of paragraph (3)(I)3. of this rule; and

F. The station manager, assistant station manager, or the department representative has, to the extent practical, visually verified that repairs were made and parts were repaired/replaced as claimed.

2. Beginning January 1, 2005, 1996 and newer model year vehicles shall not be issued a compliance waiver.

3. The minimum amount spent on qualifying repairs shall:

A. Exceed two hundred dollars (\$200) for pre-1981 model year vehicles;

B. Exceed four hundred fifty dollars (\$450) for 1981 and all subsequent model year vehicles;

C. Be inclusive of parts costs paid for emission repair services. Recognized labor costs shall be applied toward a compliance waiver. For qualifying repairs performed by someone other than a Recognized Repair Technician, parts costs, but not labor costs, shall be applied toward a compliance waiver;

D. Not include the fee for an emission inspection;

E. Not include charges for obtaining a written estimate of needed repairs;

F. Not include charges for checking for the presence of emission control devices;

G. Not include costs for repairs performed on the vehicle before the initial emission inspection failure or more than ninety (90) days before the reinspection;

H. Not include expenses which are incurred for the repair of emission control devices which have been found to be tampered with, rendered inoperative, or removed; and

I. Not include costs for emissions repairs or adjustments covered by an automobile manufacturer's warranty, insurance policy, or contractual maintenance agreement. The emissions repair costs covered by warranty, insurance, or maintenance agreements shall be separated from other emissions repair costs and shall not be applied toward the compliance waiver minimum amount. The operator of a vehicle within the statutory age and mileage coverage under subsection 207(b) of the federal Clean Air Act shall present a written denial of warranty coverage, with a complete explanation, from the manufacturer or authorized dealer in order for this provision to be waived.

4. The vehicle operator shall present the original of all itemized repair receipts at an emission inspection station or a state quality assurance/waiver facility to demonstrate compliance with the qualifying dollar amount. The itemized repair receipt(s) shall:

A. Include the name of the repair facility and the model year, make, model and vehicle identification number of the vehicle being repaired;

B. Describe the diagnostic test(s) performed to identify the reason the vehicle failed an emission inspection, the emission repair(s) that were indicated by the diagnostic test(s), the emission repairs that were authorized by the vehicle owner or driver and performed by the repair technician, the vehicle part(s) that were serviced or replaced, and the diagnostic test(s) performed after the repairs were completed to verify that the vehicle's emissions were reduced or that the vehicle's emission control system is now operating as it was designed to operate by the manufacturer;

C. Clearly list the labor costs, if the vehicle was repaired by a repair technician, and parts costs separately for each repair. Unclear repair receipts that do not identify the vehicle that was repaired, do not itemize the actual cost of the parts that were serviced, do not list the labor costs separately from the parts costs, or contain fraudulent information or parts costs as determined by the station manager, assistant station manager, or department representative shall not be accepted for the purpose of obtaining a compliance waiver;

D. Include the repair technician's name (printed or typed), signature and, if applicable, the Recognized Repair Technician ID number of the repair technician that performed the repair work; and

E. Confirm that payment was collected for the services rendered and/or parts replaced as listed on the itemized repair receipt(s).

5. If the conditions of paragraphs (3)(I)1.-3. of this rule have been met, the station manager, the assistant station manager, or the department representative shall issue a compliance waiver and affix the windshield sticker to the vehicle. The windshield sticker shall meet the requirements of paragraph (4)(A)2. of this rule.

6. The department shall issue an emission inspection compliance certificate, with an indicator to show that the vehicle has received an out of area waiver to the vehicle owner or driver, and a windshield sticker shall be affixed to the subject vehicle, provided the vehicle owner or driver presents a completed, signed waiver affidavit to the department indicating that the vehicle will be operated exclusively in an area outside of the inspection area but within the state for a duration of at least the next twenty-four (24) months.

7. The department shall issue an emission inspection compliance certificate with an indicator to show that the vehicle has received a reciprocity waiver to the vehicle owner or driver, and a windshield sticker shall be affixed to the subject vehicle, provided the vehicle owner or driver presents proof, acceptable to the department, that the subject vehicle has successfully passed an emission inspection of another state within the previous twelve (12) months which has been deemed equivalent to Missouri's emission inspection by the department.

(J) Clean Screening Emission Inspection Requirements. Clean screening shall be used to exempt the cleanest subject vehicles from emission inspections at centralized emission inspection stations. All subject vehicles including federal, state, and local government agency vehicles shall be eligible for clean screening. Motorist participation shall be strictly voluntary.

1. All clean screening plans must be approved by the state agency. Clean screening plans shall meet at least one (1) of the following requirements:

A. Remote Sensing Device (RSD) method. Remote sensing data collection shall occur during each month of the year, weather permitting, so that clean screening exemptions due to remote sensing are distributed throughout the year.

(I) Remote sensing units shall be designed, programmed, maintained, calibrated, and quality assured in keeping with good engineering practice.

(II) Two (2) valid RSD tests with all three (3) pollutants and appropriate speed and acceleration values on each test are required to exempt a vehicle with a clean screening determination. If a vehicle's record lacks any of the three (3) pollutant concentrations, that vehicle shall not be eligible for exemption based upon that record.

(III) The two (2) valid RSD tests must be recorded no more than twelve (12) months before the subject vehicle's registration expiration. RSD test results must be recorded on two (2) different days. If the vehicle database accumulates more than two (2) records during the twelve (12)-month period described in this part of the rule, the two (2) most recent tests must be used for clean screening evaluation.

(IV) Remote sensing sites must be selected and rotated to achieve broad vehicle fleet coverage. Remote sensing sites must also be selected using good engineering practice in terms of traffic flow, road grade, acceleration, speed, and other appropriate items. Sites should be selected that avoid vehicles still in cold start mode.

(V) Record gathering for more recent RSD data shall cease at least fifteen (15) days ahead of the beginning of each vehicle's compliance cycle. This cutoff allows time to match RSD tests, identify which vehicles can be exempted, and notify vehicle owners before the vehicle registration deadline according to subsections (4)(C) and (5)(H) of this rule.

(VI) A two percent (2%) random sample of the vehicles that would be excused from an emission inspection at an inspection

station based on the RSD method shall undergo the emissions inspection at an inspection station during the compliance cycle. To assure these vehicles are truly random and not specially altered for the emission inspection, owners of these vehicles shall not be informed of their vehicle's clean screening eligibility status;

B. Hybrid method.

(I) The EPA and the department shall approve the use of the Hybrid method used for clean screening.

(II) One (1) valid RSD test with all three (3) pollutants and appropriate speed and acceleration values is required to exempt a vehicle with a clean screening determination. If a vehicle's record lacks any of the three (3) pollutant concentrations, that vehicle shall not be eligible for exemption based upon that record.

(III) The one (1) valid RSD test must be recorded no more than twelve (12) months before the end of the subject vehicle's registration expiration. If the vehicle database accumulates more than one (1) record during the twelve (12)-month period described in this part, the most recent test must be used for clean screening evaluation.

(IV) A Low Emitter Index (LEI) database shall be developed for the subject vehicles using sufficient information from both the Department of Revenue Division of Motor Vehicle and Drivers Licensing database and fleets in other states according to the EPA guidelines. The database shall have at least one (1) million vehicle records spanning a one (1) to two (2)-year duration.

(V) The LEI database shall identify all subject vehicles required to undergo emission inspections grouped by engine family, defined as vehicle model year, make, model, engine size, and fuel metering system, and the probability that a particular vehicle in each grouping would fail the relevant emissions tests.

(VI) The LEI database shall be updated on a regular interval with data gathered from the vehicles subject to this rule.

(VII) Record gathering for more recent RSD data shall cease at least fifteen (15) days ahead of the beginning of each vehicle's compliance cycle. This cutoff allows time to identify which vehicles can be exempted, and notify vehicle owners before the vehicle registration deadline according to subsections (4)(C) and (5)(H) of this rule.

(VIII) The one (1) valid RSD test described in part (3)(J)1.B.(II) of this rule shall be matched with a LEI database record that corresponds with the engine family of the subject vehicle. In order for a subject vehicle to be eligible to receive a clean screening notification document, both of the following conditions must be met:

(a) The RSD test must be below the clean screening standards described in subsection (3)(K) of this rule; and

(b) The LEI record must indicate that the subject vehicle has a low probability of failing the corresponding emission tests described in subsections (5)(A)-(E) of this rule.

(IX) A two percent (2%) random sample of the vehicles that would be excused from an emission inspection at an inspection station based on the Hybrid method shall undergo the emissions inspection at an inspection station during the compliance cycle. To assure these vehicles are truly random and not specially altered for the emission inspection, owners of these vehicles shall not be informed of their vehicle's clean screening eligibility status.

2. An on-road testing program shall provide information about the emission performance of in-use subject vehicles by measuring on-road emissions through the use of remote sensing devices. The program shall collect and analyze on-road testing data. On-road testing is not required every season or on every vehicle but shall evaluate the emission performance of at least 0.5% of the subject fleet.

(K) Clean Screening Emission Inspection Standards. Subject vehicles shall be eligible to receive a clean screening notification document according to paragraph (3)(J)1. and subsection (5)(H) of this rule if the on-road tailpipe emissions are equal to or below the following measured emission values:

Model Year	HC (PPM)	CO (%)	NO _x (PPM)
1971 and newer	200	0.5	2000

(L) Vehicle Registration. After a subject vehicle has passed the emission inspection according to either subsection (3)(F) or (H) of this rule, received a waiver according to subsection (3)(I) of this rule, or been clean screened according to subsection (3)(J) of this rule, the emission inspection compliance certificate issued by the emission inspection station or the clean screening compliance certificate mailed to the vehicle owner shall be submitted with registration documents by the vehicle owner or representative to the Missouri Department of Revenue at the time of vehicle registration.

(M) Violations and Penalties. Persons violating this rule shall be subject to penalties contained in section 643.355, RSMo.

(N) Quality Control.

1. Quality control requirements for the contractor(s).

A. Contractor conduct.

(I) The department shall appoint only entities under contractual agreement with the department to operate official emission inspection stations, which includes conducting emission inspections and issuing compliance certificates.

(II) Conducting the business of the official emission inspection station shall be performed in such a way that it satisfies the intent of the enhanced emission inspection program by effectively identifying vehicles that fail to meet acceptable emission standards.

(III) Failure to comply with the provisions of this rule and the contract shall be considered a violation of this rule and shall be sufficient cause for suspension of emission inspection privileges and authority to issue compliance certificates.

B. Emission inspectors.

(I) The contractor shall provide to the department an education and training plan, to be approved by the department, for designated emission inspectors.

(II) All contractor personnel who perform emission inspections at each emission inspection station shall be designated by the contractor as emission inspectors.

(III) The contractor shall be responsible for the conduct of emission inspectors.

(IV) Designation as an emission inspector may be suspended by a department quality assurance officer immediately at any time due to a violation of this rule or a provision of the contract.

(V) The contractor shall maintain for the department a registry of designated emission inspectors, that at a minimum includes the inspector's name, beginning date of inspection duties, ending date of inspection duties and description of inspection performance.

C. Inspection records.

(I) All inspection records, calibration records, and control charts shall be accurately created, recorded, and maintained by the contractor.

(II) The contractor and all employees of the contractor shall make available all records and information requested by the department and shall fully cooperate with department personnel and other authorized state representatives or agents who conduct audits and other quality assurance procedures.

(III) All contractors subject to this rule shall maintain emissions inspection records, including repair information as well as all inspection results.

(a) These records shall be kept for at least three (3) years after the date of an initial emissions inspection.

(b) These records shall be made available immediately upon request for review by department personnel.

(c) These records shall also be made available to the department on a continual basis through the use of an automated communication system approved by the department.

2. General requirements. General requirements for quality control practices for all test equipment shall be as follows:

A. At a minimum, the practices described in this section, in the contract, in 40 CFR part 51, subpart S, Appendix A, and in April

2000 *IM240 & Evap Technical Guidance*, 40 CFR part 85, subpart W, sections 2234 and 2235, which are incorporated by reference, shall be followed;

B. Preventive maintenance on all emission inspection equipment shall be performed on a periodic basis, as provided by the contract between the department and the contractor(s) and consistent with EPA and the equipment manufacturer's requirements;

C. To assure quality control, computerized analyzers shall automatically record quality control check information, lockouts, attempted tampering and any circumstances which require a service representative to work on the equipment;

D. To assure test accuracy, equipment shall be maintained according to demonstrated good engineering procedures;

E. Computer control of quality assurance checks and quality control charts shall be used whenever possible; and

F. The emission inspection station shall transmit the emission inspection results and the quality control results to the department as prescribed in the contract between the department and the contractor(s).

3. Evaporative system pressure test equipment quality control requirements. Calibration and maintenance procedures shall be as specified by EPA in April 2000 *IM240 & Evap Technical Guidance*, 40 CFR part 85, subpart W, section 2235, which is incorporated by reference.

4. Single-speed and two (2)-speed idle test equipment quality control requirements. Calibration and maintenance procedures shall be as specified by EPA in 40 CFR part 51, subpart S, Appendix A, paragraph (I), which is incorporated by reference.

5. Transient emission test equipment quality control requirements. Calibration and maintenance procedures shall be as specified by EPA in April 2000 *IM240 & Evap Technical Guidance*, 40 CFR part 85, subpart W, section 2234, which is incorporated by reference.

(4) Reporting and Record Keeping.

(A) The contractor shall provide the owners or drivers of vehicles that pass the emission inspection, or are issued a compliance waiver, an emission inspection compliance certificate and windshield sticker. After the effective date of this rule, any revision to the contractor supplied forms shall be presented to the regulated community for a forty-five (45)-day comment period.

1. The compliance certificate shall contain:

A. A vehicle description, including license plate number, vehicle identification number, vehicle make, vehicle model, vehicle model year, and odometer reading;

B. The date and time of inspection;

C. The identification number of the individual(s) performing the test and the location of the inspection station and lane number;

D. The applicable test standards;

E. The applicable test results, including exhaust quantities, OBD test results, and a pass indicator for the evaporative system pressure test;

F. The results of the recall provisions check, if applicable, including the recall campaign number and the date the recall repairs were completed;

G. A certification that tests were performed in accordance with the regulations;

H. A waiver indicator, if applicable; and

I. The statement: "This inspection is mandated by your United States Congress."

2. The windshield sticker shall:

A. Be affixed by the emission inspector to each vehicle which is subject to and passes the emission inspection, or has been issued a waiver on the inside of the vehicle's front windshield in the lower left hand corner. A windshield sticker affixed to a vehicle that has been issued a waiver shall have a waiver indicator clearly visible on the sticker. Previous windshield stickers affixed to the windshield shall be removed. Destroyed, damaged, or lost windshield stickers can only be replaced after a satisfactory explanation of the details of

the incident has been furnished to the department. Windshield stickers are valid for two (2) calendar years; and

B. Contain the statement: "This inspection is mandated by your United States Congress."

(B) The contractor shall provide the vehicle owner or driver of a vehicle that fails an emission inspection with a vehicle test report. Also provided shall be a repair facility performance report, a repair data sheet, and a copy of the customer complaint procedure. The contractor shall not refer vehicle owners to a particular repair station(s) that may or may not be included in the repair facility performance report. After the effective date of this rule, any revision to the contractor supplied forms shall be presented to the regulated community for a forty-five (45)-day comment period.

1. The vehicle test report shall include:

A. A vehicle description, including license plate number, vehicle identification number, vehicle make, vehicle model, vehicle model year, and odometer reading;

B. The date and time of inspection;

C. The identification number of the individual(s) performing the test and the location of the inspection station and lane number;

D. The applicable test standards;

E. The applicable test results, including exhaust quantities, pass/fail results for the OBD test, pass/fail results for the evaporative system pressure test, and which emission control devices were passed, failed, or not applicable according to the anti-tampering test;

F. If the vehicle is subject to the OBD test described in subsection (5)(E) of this rule, the information required by 40 CFR part 85, subpart W, section 2223, which is incorporated by reference;

G. To the extent possible, a description of the nature of the failure and the components responsible, recommended repair and adjustment procedures, and an estimated cost for those repairs;

H. A statement indicating the availability of warranty coverage as required in section 207 of the Clean Air Act;

I. The results of the recall provisions check, if applicable, including the recall campaign number and date the recall repairs were completed;

J. A statement that the vehicle test report is not valid for vehicle registration purposes; and

K. A statement that the vehicle may be reinspected for free according to subparagraph (3)(H)1.A. of this rule.

2. The repair facility performance report shall list facilities employing at least one (1) Recognized Repair Technician in the area which perform emission related repairs on vehicles and information on the results of emission repairs performed by these facilities. This information shall include:

A. Statistics on the number of vehicles submitted for an emission reinspection after repairs by the repair facility;

B. The percentage of vehicles repaired by the repair facility that passed a reinspection; and

C. The percentage of vehicles repaired by the repair facility that were granted compliance waivers.

3. A repair data sheet must be completed prior to an emission reinspection beginning. The repair data sheet shall include:

A. The total cost of repairs, divided into parts and labor costs;

B. The printed name and signature of the person who performed the repairs and, if applicable, the Recognized Repair Technician's ID number;

C. If applicable, the name of the repair facility and, if the repair facility employs a Recognized Repair Technician, the repair facility's ID number;

D. The type of inspection failure the vehicle was being repaired for and the emission-related repairs performed;

E. If applicable, the signature of the repair technician to indicate if all of the emission-related repairs that they recommended to the motorist were completed; and

F. If applicable, the printed name and signature of the vehicle owner if the owner is seeking a compliance waiver.

4. The contractor shall collect all repair data sheets submitted at the emission inspection stations. The information contained on the repair data sheets shall be electronically entered into a database and made available to the department according to the contract.

5. The customer complaint procedure shall include the telephone number of the department's quality assurance facility. Any challenge regarding the performance or results of the emission inspection must be made in writing within ten (10) business days of the failure of the emission inspection.

(C) The contractor shall send the owners of vehicles that pay for a clean screening inspection according to paragraph (3)(D)4. and subsection (5)(H) of this rule a clean screening inspection compliance certificate and windshield sticker.

1. If the subject vehicle is eligible for clean screening via the RSD method described in subparagraph (3)(J)1.A. of this rule, the compliance certificate shall include the dates and locations of the two (2) valid test results. The RSD test results shall be compared to the clean screening test standards.

2. If the subject vehicle is eligible for clean screening via the Hybrid method described in subparagraph (3)(J)1.B. of this rule, the compliance certificate shall include the date and location of the one (1) valid RSD test result. The RSD test result shall be compared to the clean screening test standards.

3. The windshield sticker shall—

A. Be affixed by the vehicle owners that pay for a clean screening inspection to the inside of the vehicle's front windshield in the lower left hand corner. A clean screening indicator shall be clearly visible on the sticker. Previous windshield stickers affixed to the windshield shall be removed. Destroyed, damaged, or lost windshield stickers can only be replaced after a satisfactory explanation of the details of the incident has been furnished to the department. Windshield stickers are valid for two (2) calendar years; and

B. Contain the statement: "This inspection is mandated by your United States Congress."

(5) Test Methods.

(C) Transient Emission Test.

1. Except as provided by paragraphs (5)(C)4., (5)(C)7. and (5)(C)8. and subsection (5)(F) of this rule, transient emission tests shall be performed on 1981 and newer model year subject vehicles in accordance with the procedures contained in April 2000 *IM240 & Evap Technical Guidance*, 40 CFR part 85, subpart W, section 2221, which is incorporated by reference. The driving cycle shall include acceleration, deceleration, and idle operating modes as specified in April 2000 *IM240 & Evap Technical Guidance*, 40 CFR part 85, subpart W, subsection 2221(e).

2. The two hundred forty (240)-second sequence may end earlier using fast pass algorithms specified in April 2000 *IM240 & Evap Technical Guidance*, 40 CFR part 85, subpart W, paragraph 2205(a)(4), which is incorporated by reference.

3. To decrease the possibility of falsely failing a vehicle due to inadequate pre-conditioning, vehicles failing by two (2) times, or less, the applicable transient emission test standards described in paragraphs (3)(G)3. and (3)(G)4. of this rule will be retested immediately as specified in April 2000 *IM240 & Evap Technical Guidance*, 40 CFR part 85, subpart W, paragraph 2221(d)(1). The results of the first transient emission test shall be disregarded.

4. If a vehicle cannot be tested on standard transient test equipment because of vehicle design, vehicle condition, or equipment limitations, the vehicle will be tested using a two (2)-speed idle test, as defined in subsection (5)(D) of this rule.

5. The department shall determine the number and distribution of lanes necessary to test four (4)-wheel drive vehicles and vehicles with traction control using the transient emission test.

6. If the measured emission values are equal to or below the appropriate standards specified in paragraphs (3)(G)3. and (3)(G)4. of this rule, then the subject vehicle shall pass the transient emission test.

7. Between January 1, 2003, and December 31, 2004, all 1996 and newer model year subject vehicles shall be emission inspected according to the OBD test procedures described in paragraph (5)(E)3. of this rule.

8. Beginning January 1, 2005, all 1996 and newer model year subject vehicles shall be emission inspected according to the OBD test procedures described in paragraph (5)(E)4. of this rule.

(G) Anti-Tampering Test. Anti-tampering tests shall only be performed on 1971 and newer model year subject vehicles that have failed the initial emission inspection or have failed an emission reinspection that has caused the owner to apply for a compliance waiver. The anti-tampering test procedure shall be as follows:

1. Anti-tampering tests shall be performed through direct observation or through indirect observation using a mirror, video camera or other visual aid. The emission inspector shall look for the presence of the positive crankcase ventilation valve on all 1971 model year vehicles, the exhaust gas recirculation valve on all 1972 and newer model year vehicles, and the catalytic converter system on all vehicles equipped by the manufacturer with such a system;

2. The emission inspector shall also look at the evaporative emission system, where practical. Vehicles shall fail the anti-tampering test if the canister is missing or obviously damaged, if the hoses are missing, damaged or obviously disconnected, or if the gas cap is missing;

3. Vehicles shall fail the anti-tampering test if the devices described in this subsection are part of the original certified configuration of the vehicle and are found to be missing, modified, disconnected, or improperly connected; and

4. Vehicles shall fail the anti-tampering test if the devices described in this subsection are found to be incorrect for the certified vehicle configuration. Aftermarket parts, as well as original equipment manufacturer parts, may be considered correct if they are proper for the certified vehicle configuration. Where EPA aftermarket approval or a self-certification program exists for a particular class of subject parts, vehicles shall fail the anti-tampering test if the part is not from an original equipment manufacturer or from an EPA approved or self-certified aftermarket manufacturer.

(H) Clean Screening Test.

1. Owners of clean screening-eligible vehicles shall be notified by mail one (1) month prior to the vehicle's registration month.

2. If the subject vehicle is eligible for clean screening according to paragraph (3)(J)1. and subsection (3)(K) of this rule, the owner shall be mailed a clean screening notification document.

A. The notification shall be mailed to the subject vehicle owner's most current address on record.

B. If the subject vehicle owner responds to the clean screening notification and pays the inspection fee established in paragraph (3)(D)4. of this rule, then a compliance certificate and windshield sticker that meet the requirements of subsection (4)(C) of this rule shall be mailed to the subject vehicle owner.

C. If the subject vehicle owner chooses not to respond to the clean screening notification, then the subject vehicle can comply with the emission inspection requirement according to subsection (3)(F) of this rule.

(I) Evaporative System Purge Test. The department will approve an Evaporative System Purge Test when a non-intrusive procedure becomes available and is approved by the EPA. All 1981 and newer model year subject vehicles will be tested and required to meet the standards when the procedure is approved.

REVISED PUBLIC COST: For the first fiscal year, FY 2003, the proposed amendment will cost two thousand nine hundred seventy-one dollars (\$2,971). For the first full fiscal year, FY 2004, the proposed amendment will cost five thousand nine hundred seventy-two dollars (\$5,972). For the fiscal years 2005–2007, the total annualized aggregate cost is eleven thousand nine hundred ninety dollars (\$11,990). Note attached fiscal note for assumptions that apply.

REVISED PRIVATE COST: For the first fiscal year, FY 2003, the proposed amendment will cost \$1,746,099. For the first full fiscal year, FY 2004, the proposed amendment will cost \$3,617,434. For the fiscal years 2005–2007, the total annualized aggregate cost is \$5,163,727. Note attached fiscal note for assumptions that apply.

**REVISED FISCAL NOTE
PUBLIC ENTITY COST**

I. RULE NUMBERTitle: 10 - Department of Natural ResourcesDivision: 10 - Air Conservation CommissionChapter: 5 - Air Quality Standards and Air Pollution Control Rules Specific to the St. Louis Metropolitan AreaType of Rulemaking: Proposed AmendmentRule Number and Name: 10 CSR 10-5.380 Motor Vehicle Emissions Inspection**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Federal, State, and Local Governmental Fleets	\$44,913

III. WORKSHEET

Fiscal Year	Number of Public Vehicle Owners Affected by Rule Amendment	Annual Aggregate Increase in Vehicle Repair Spending Due to Rule Amendment	Average Annual Increase per Vehicle Owner Affected by Rule Amendment
2003	44	\$ 2,971	\$ 67.78
2004	88	\$ 5,972	\$ 67.78
2005	97	\$ 9,302	\$ 95.51
2006	107	\$12,666	\$118.61
2007	118	\$14,002	\$118.61
Total	454	\$44,913	\$ 98.89

The rule becomes effective six months into state fiscal year 2003. The first fiscal year's total aggregate cost to public entities is \$2,971. The first full fiscal year is state fiscal year 2004. The first full fiscal year's total aggregate cost to public entities is \$5,972. The average annual aggregate cost to public entities for the next three state fiscal years is \$11,990.

IV. ASSUMPTIONS

- All costs are in Year 2001 dollars, rounded to the nearest dollar. Because the I/M program's contract expires in 2007, the estimated annual private entity cost of this rule amendment is assumed to be at least \$15,331 for every year that the rule is in effect after 2007.
- The number of federal, state, and local fleet vehicles in the St. Louis area in 2000 is 6,504 vehicles. The public fleet growth rate is 1% per year.
- All vehicles currently subject to the inspection continue to remain on the road and in the I/M area.
- Due to increased Department of Natural Resources efforts to track public fleet vehicle compliance, the Transient-tested vehicle compliance rate is 95% in 2002. The OBD-tested vehicle compliance rate is 99% in 2003 and beyond.
- No public fleet vehicles are clean screened.

6. All public fleet vehicles are 1996 and later model year vehicles. In 2002, all public fleet vehicles are subject to the Transient test. In 2002, the Transient test failure rate increases by 71% from the 2000-2001 failure rate due to final cutpoints.
7. In 2003, all public fleet vehicles are subject to the OBD test. The OBD connection rate is 100% in 2003 and beyond. The initial OBD failure rate during the OBD phase-in period (2003-2004) is estimated to be the same as the initial failure rate of the state of Wisconsin's 2001 initial OBD failure rate, 2.7%. Because of the increased age and mileage of OBD-tested vehicles, in 2005 and 2006, the initial OBD failure rate increases to 3.2% and in 2007 and beyond to 3.8%.
8. The average repair costs spent at Missouri Recognized Repair Facilities during the first two years of the Gateway Clean Air Program (2000-2001), which has been calculated based upon repair data information collected by the contractor from all failing vehicles that return for a retest, represent the average repair costs spent by all owners of failing vehicles during the first two years of the Gateway Clean Air Program, regardless of where or how the vehicle was serviced.
9. In 2002, average repair costs for Transient-tested vehicles increases 20% due to final cutpoints. During the OBD phase-in period (2003-2004), average repair costs for all vehicles increase 25% from the average repair costs in 2002 due to the new waiver requirements. After the OBD phase-in period, average repair costs for all vehicles that fail the OBD test increase an additional 15% from the 2003-2004 average repair costs due to the elimination of waivers for 1996 and newer model year vehicles.
10. After the rule amendment becomes effective, the percent of failing vehicles that qualify for a waiver is reduced by 90% from the 2002 transient test waiver rate.

**REVISED FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 10 - Department of Natural Resources

Division: 10 - Air Conservation Commission

Chapter: 5 - Air Quality Standards and Air Pollution Control Rules Specific to the St. Louis Metropolitan Area

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 10 CSR 10-5.380 Motor Vehicle Emissions Inspection

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
246,827	Private vehicle owners	\$ 20,854,714

III. WORKSHEET

Fiscal Year	Number of Private Vehicle Owners Affected by Rule Amendment	Annual Aggregate Increase in Vehicle Repair Spending Due to Rule Amendment	Average Annual Increase per Vehicle Owner Affected by Rule Amendment
2003	22,822	\$ 1,746,099	\$ 76.51
2004	47,350	\$ 3,617,434	\$ 76.40
2005	52,010	\$ 4,257,880	\$ 81.87
2006	57,842	\$ 5,099,376	\$ 88.16
2007	66,804	\$ 6,133,925	\$ 91.82
Total	246,827	\$ 20,854,714	\$ 84.49

The rule becomes effective six months into state fiscal year 2003. The first fiscal year's total aggregate cost to private entities is \$1,746,099. The first full fiscal year is state fiscal year 2004. The first full fiscal year's total aggregate cost to private entities is \$3,617,434. The average annual aggregate cost to private entities for the next three state fiscal years is \$5,163,727.

IV. ASSUMPTIONS

- All costs are in Year 2001 dollars, rounded to the nearest dollar. Because the I/M program's contract expires in 2007, the estimated annual private entity cost of this rule amendment is assumed to be at least \$7,486,093 for every year that the rule is in effect after 2007.
- The total subject fleet is balanced, so that for a given two-year period, half of the vehicles tested will be even model year vehicles and half of the vehicles tested will be odd model year vehicles.
- The number of model year 2000 vehicles sold in the St. Louis area is 7.5% of the total subject fleet in 2000, or 50,923 vehicles. The new car sales growth rate is 3% per year.
- All vehicles currently subject to the inspection continue to remain on the road and in the I/M area. Due to final cutpoints, the percent of Transient-tested vehicles that comply with the inspection requirement decreases by 1% in 2002 from the 2001 compliance rate. Due to new waiver requirements, the percent of Single-speed Idle-, Transient-, and Two-speed Idle-tested subject vehicles that comply with the inspection requirement decreases by 1%, respectively, in 2003 from the 2002 compliance rate. The OBD-tested vehicle compliance rate is 99% in 2003 and beyond.

5. For 1996 and newer model year vehicles, 90% of these vehicles will continue to be clean screened in each successive year. For 1991-1995 model year vehicles, 75% of these vehicles will continue to be clean screened in each successive year. For 1986-1990 model year vehicles, 50% of these vehicles will continue to be clean screened in each successive year. For 1981-1985 model year vehicles, 25% of these vehicles will continue to be clean screened in each successive year. For 1971-1980 model year vehicles, 0% of these vehicles will continue to be clean screened. All vehicles that are no longer clean screened will be subject to the relevant station-based inspection.
6. During the OBD phase-in period (2003-2004), the OBD connection rate is 95%. Therefore, 5% of the OBD-equipped vehicles will be tested with either a Transient test or a Two-speed Idle test if they can't be tested with the Transient test. After the OBD phase-in period, the OBD connection rate is 99%. Therefore, 1% of the OBD-equipped vehicles will be tested with either a Transient test or a Two-speed Idle test if they can't be tested with the Transient test.
7. The 2002 Transient initial test failure rate is 10.9%, which is the initial test failure rate for the first two months of Transient testing with final cutpoints. The Single-speed Idle, Transient, and Two-speed Idle test initial failure rates in 2003-2007 are the same as the 2002 initial failure rates.
8. The initial OBD failure rate during the OBD phase-in period (2003-2004) is estimated to be the same as the initial failure rate of the state of Wisconsin's 2001 initial OBD failure rate, 2.7%. Because of the increased age and mileage of OBD-tested vehicles, in 2005 and 2006, the initial OBD failure rate increases to 3.2% and in 2007 and beyond to 3.8%.
9. The average repair costs spent at Missouri Recognized Repair Facilities during the first two years of the Gateway Clean Air Program (2000-2001), which has been calculated based upon repair data information collected by the contractor from all failing vehicles that return for a retest, represent the average repair costs spent by all owners of failing vehicles during the first two years of the Gateway Clean Air Program, regardless of where or how the vehicle was serviced or which test the vehicle failed.
10. In 2002, average repair costs for Transient- and Two-speed Idle-tested vehicles increase 20% due to final cutpoints. During the OBD phase-in period (2003-2004), average repair costs for all vehicles increase 25% from the average repair costs in 2002 due to the new waiver requirements. After the OBD phase-in period, average repair costs for all vehicles that fail the OBD test increase an additional 15% from the 2003-2004 average repair costs due to the elimination of waivers for 1996 and newer model year vehicles.
11. After the rule amendment becomes effective, the percent of failing vehicles that qualify for a waiver is reduced by 90% from the 2002 waiver rate for each of the current test types, Single-speed Idle, Transient, Two-speed Idle, respectively.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004, 313.805, 313.830 and 313.845, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-5.183 Cards—Specifications is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2002 (27 MoReg 1110). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.065, RSMo 2000, the commission adopts a rule as follows:

11 CSR 45-30.570 Price Reporting is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 1, 2002 (27 MoReg 1110). One (1) change has been made in the text of the proposed rule. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed rule was held on August 8, 2002, and the public comment period ended August 1, 2002. At the public hearing the Missouri Gaming Commission explained the proposed rule and one (1) comment was received.

COMMENT: Mr. Daren Peters, Goodtime Bingo d/b/a Best Bet Bingo, Columbia, Missouri, asked several questions for clarification of the rule. The only comment made was that he thought his costs would exceed five hundred dollars (\$500) to comply. After it was pointed out to him that only section (4) applied to him, he indicated satisfaction that his cost would be minimal.

RESPONSE: No changes have been made to the rule as a result of this comment.

COMMENT: Mr. Darry Miller, Bingo Supply Center, Nevada Missouri, provided a written comment agreeing with the proposed amendment, but suggested that section (4) be amended to include bingo equipment.

RESPONSE AND EXPLANATION OF CHANGE: Section (4) will be changed to include bingo equipment.

11 CSR 45-30.570 Price Reporting

(4) When any bingo supplies and/or equipment will be sold by a licensed supplier below the price paid for the supplies, the supplier shall submit the following information in writing so the information is received by the commission at least ten (10) days prior to the effec-

tive date of the sale: the original purchase price, the sale price to be charged, and the reason for selling the supplies at a loss.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION**

**Division 80—Teacher Quality and Urban Education
Chapter 800—Educator Licensure**

IN ADDITION

The proposed amendment which was published in the *Missouri Register* on October 1, 2002 (27 MoReg 1768-1772) contained some typographical errors. In subparagraph (1)(A)4.B., parentheses which appeared around the word **compendium** should not have been there. Additionally in Appendix A in the line Biology: Content Knowledge, there should not have been the added text “, Part I”. Colons should not have appeared after **Speech and Language Pathologist K-12⁵** and **Unified Science⁴**. Lastly a line of text was left out between the Chemistry line and Physics line which should have read—

Earth Science 20571 Earth Science: Content Knowledge

Subparagraph (1)(A)4.B. and Appendix A are reprinted here as they should have appeared for clarification.

**5 CSR 80-800.380 Required Assessments for Professional
Education Certification in Missouri**

(1)(A)4.B. Successfully complete the applicable certification requirements for middle school education, grades five through nine (5-9), as set forth in the *[Compendium of Missouri Certification Requirements, which is incorporated by reference and made a part of this rule] compendium*.

APPENDIX A
ASSESSMENTS DESIGNATED FOR CERTIFICATION IN MISSOURI

The Praxis® assessments listed below have been designated by the State Board of Education to fulfill the assessment requirement for certification in Missouri. The assessments are listed beside the certificates to which they correspond.

Missouri Certificate of License to Teach	Test Code	Designated Assessment
Early Childhood Education, Birth–Grade 3	10020	Early Childhood Education
Early Childhood Special Education, Birth–Grade 3	10690	Special Education: Preschool/Early Childhood
Elementary Education, Grades 1–6	10011	Elementary Education: Curriculum, Instruction, and Assessment
Middle School Education, Grades 5–9	—	—
Language Arts	10049	MS English-Language Arts: Content Knowledge
Mathematics	20069	MS Mathematics: Content Knowledge
Science	10439	MS Science: Content Knowledge
Social Science	20089	MS Social Studies: Content Knowledge
Other Middle School Subject Areas	30523	Principles of Learning and Teaching, Grades 5–9
Secondary Education, Grades 9–12 (except as noted)	—	—
Agriculture	10700	Agriculture
Art K–12, 9–12	10133	Art: Content Knowledge
Business Education	10100	Business Education
English	10041	English Language, Literature and Composition: Content Knowledge
Family and Consumer Science ¹		
Vocational and Non-Vocational	10120	Family and Consumer Sciences
Foreign Language:		
French K–12	20173	French: Content Knowledge
German K–12	20181	German: Content Knowledge
Spanish K–12	10191	Spanish: Content Knowledge
Health K–12, 9–12	20550	Health Education
Industrial Technology	10050	Technology Education
Library Media Specialist K–12	10310	Library Media Specialist
Marketing and Distributive Education	10560	Marketing Education
Mathematics	10061	Mathematics: Content Knowledge
Music (Instrumental, Vocal) K–12	10113	Music: Content Knowledge
Physical Education K–9, K–12, 9–12	10091	Physical Education: Content Knowledge
Science:		
Biology	20235	Biology: Content Knowledge
Chemistry	20245	Chemistry: Content Knowledge
Earth Science	20571	Earth Science: Content Knowledge
General Science	10435	General Science: Content Knowledge
Physics	10265	Physics: Content Knowledge
Social Science	10081	Social Studies: Content Knowledge
Special Education K–12		
Mild-Moderate Cross-Categorical Disabilities ²	20353 and 10542	Education of Exceptional Students: Core Content Knowledge Education of Exceptional Students: Mild to Moderate Disabilities
Special Education K–12 ³	10350	Special Education
Mild-Moderate Disabilities (except cross-categorical), Blind/Partially Sighted, Hearing Impaired, Severely Developmentally Disabled		
Speech/ <i>Theater</i> / Theatre	10220	Speech Communication
Speech and Language Specialist K–12 ⁵	20330	Speech-Language Pathology
Speech and Language Pathologist K–12⁵	20330	Speech-Language Pathology
Unified Science ⁴	—	—
Biology	20235	Biology: Content Knowledge
Chemistry	20245	Chemistry: Content Knowledge
Earth Science	20571	Earth Science: Content Knowledge
Physics	10265	Physics: Content Knowledge
K–12 or 9–12 teaching certification for which no specialty area assessment or content knowledge assessment is designated.	30524	Principles of Learning and Teaching, Grades 7–12
School Counselor K–8, 7–12 ⁵	20420	School Guidance and Counseling
School Psychologist K–12 ⁵	10400	School Psychologist

APPENDIX A—continued

<u>Missouri Certificate of License to Teach</u>	<u>Test Code</u>	<u>Designated Assessment</u>
Building-Level Administrator ⁵ Principal K-8, 9-12 Special Education Administrator K-12 Vocational School Director	11010	School Leaders Licensure Assessment (SLLA)
District-Level Administrator (Superintendent) K-12 ⁵	11020	School Superintendent Assessment (SSA)

- ¹ Additional certification by completion of the designated assessment only is limited to Non-Vocational.
- ² Additional certification by completion of the designated assessments only is limited to Mild-Moderate Cross-Categorical Disabilities.
- ³ Additional certification by completion of the designated assessment only is not applicable in these categories of special education.
- ⁴ Not available by completion of the designated assessment only; also requires completion of a program of study for the unified science core with the area of specialization from a state-approved institution.
- ⁵ Not available by completion of the designated assessment only; also requires completion of a program of study and a recommendation from a state-approved institution.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 60—Missouri Health Facilities
Review Committee
Chapter 50—Certificate of Need Program**

For additional information contact
Donna Schuessler, 573-751-6403.

EXPEDITED APPLICATION REVIEW SCHEDULE

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. Decisions are tentatively scheduled for November 25, 2002. These applications are available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

09/26/02

#3246 NS: Shirkey Leisure Acres
Richmond (Ray County)
\$2,586,947, Modernize facility

09/27/02

#3331 RS: Oakdale Assisted Living
Poplar Bluff (Butler County)
\$1,112,664, Replace 12 Residential Care
Facility (RCF) I beds and 16 RCF II beds
with a new 28-bed RCF II

#3302 NP: Oakdale Care Center
Poplar Bluff (Butler County)
\$766,258, Long-term care (LTC) bed expansion through the
purchase of 26 skilled nursing facility (SNF) beds from Ranken
Jordan Home for Convalescent Crippled Children, St. Louis
(St. Louis County)

#3332 RS: Heartland RCF II
St. Joseph (Buchanan County)
\$106,055, Replace 20-bed RCF II

10/10/02

#3327 RP: Maple Ridge
Farmington (St. Francois County)
\$5,000, LTC bed expansion through the purchase of 4 RCF II
beds from Marian Cliff Manor, St. Mary (St. Genevieve
County)

#3339 NS: Fredericktown Manor
Fredericktown (Madison County)
\$390,000, Replace 11-bed RCF I

#3338 NS: Fredericktown Manor
Fredericktown (Madison County)
\$4,390,000, Replace 78 SNF beds

#3337 HS: SSM St. Joseph Health Center
St. Charles (St. Charles County)
\$2,502,417, Replace MRI

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received by November 12, 2002. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
915 G Leslie Boulevard
Jefferson City, MO 65101

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

LEGAL NOTICE

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST Nelson & Wolff, L.L.C., a Missouri limited liability company. On **September 4, 2002** Nelson & Wolff, L.L.C., a Missouri limited liability company (the "Company"), filed its Notice of Winding Up of Limited Liability Company with the Missouri Secretary of State. Said Notice was effective on **September 9, 2002**. The Company requests that all persons and organizations who have claims against it present them immediately by letter to the Company to the attention of Kevin A. Nelson at 4770 Oakbrier Drive, St. Louis, Missouri 63128. All claims must include (1) the name and address of the claimant, (2) the amount claimed, (3) the basis for the claim; (4) the date(s) on which the event(s) on which the claim is based occurred, and (5) any other documentation of the claim.

NOTICE: Pursuant to Section 347.141, Revised Statutes of Missouri, any claims against the company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of the Notice.

NOTICE OF DISSOLUTION TO ALL UNKNOWN CREDITORS OF AND CLAIMANTS AGAINST F.P. MOBILE SYSTEMS LLC

On October 16, 2002, F.P. Mobile Systems, LLC, a Missouri limited liability company (the "Company") filed Notice of Winding Up for Limited Liability Company with the Secretary of State of Missouri. The Company requests that any and all claims against the Company should be sent to Curtis, Oetting, Heinz, Garrett & O'Keefe, P.C., c/o Carl J. Lumley, 130 South Bemiston, Suite 200, Clayton, Missouri, 63105. Each claim against the Company must include the following information: the name, address, and telephone number of the claimant; the amount of the claim; the date on which the claim arose; and a brief description of the nature or basis for the claim. All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: www.moolb.state.mo.us. Prospective bidders may receive specifications upon request.

B1E03051 Plumbing Equipment & Supplies 11/1/02
B1E03070 Compact Utility Tractors 11/1/02
B1E03080 Plywood 11/1/02
B1E03087 Tractors 11/1/02
B3E03065 Interpreter Services-Verbal 11/1/02
B1E03084 Poultry Diagnostic Kits 11/4/02
B3Z03088 MC+ Health Benefits Manager 11/5/02
B3Z03008 Feasibility Study 11/7/02
B3E03083 Trash Collection Services 11/8/02
B3E03089 Hotel/Motel Accommodations 11/8/02
B3Z03052 Credit Card Payment Services-Point-of-Sale 11/12/02
B3Z03066 Waste Tire Cleanup Services 11/12/02
B1E03097 Envelopes, Unprinted Double-Window 11/13/02
B3E02221 Assistant Job Coach Services 11/13/02
B3Z03034 Adolescent Medicine & Health Consultation Services
11/13/02
B3Z03078 Research Services-WIC Program Needs Assessment
11/13/02
B1E03096 Truck With Van Body 11/14/02
B1E03093 Corrugated Sheets 11/15/02
B3Z02064 Medical Case Management 11/15/02
B2Z03005 PC Prime Vendor Services 11/18/02
B3Z03054 Intensive In-Home Services 11/19/02
B1E03076 Public Address System 11/20/02
B3Z03005 Actuarial & Pharmaceutical Consulting Services 12/5/02

It is the intent of the State of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

Automated Management System Development, supplied by Baker Robbins & Company.

Head and Spinal Cord Injury Prevention Program in the Kansas City/Jackson County Area, supplied by Think First of Greater Kansas City.

- 1.) Cook-Chill Transitional Training Services, supplied by Cini-Little.
- 2.) Assessment Services, No Child Left Behind, supplied by CTB/McGraw-Hill.

Pharmacy Data Systems Software Maintenance, supplied by QuadraMed Corporation.

James Miluski, CPPO,
Director of Purchasing

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—25 (2000), 26 (2001) and 27 (2002). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				27 MoReg 189 27 MoReg 1724
1 CSR 10-11.010	Commissioner of Administration	27 MoReg 1159	27 MoReg 1180		
1 CSR 15-2.200	Administrative Hearing Commission		27 MoReg 1093R	27 MoReg 1878R	
1 CSR 15-2.210	Administrative Hearing Commission		27 MoReg 1093R	27 MoReg 1878R	
1 CSR 15-2.230	Administrative Hearing Commission		27 MoReg 1093R	27 MoReg 1878R	
1 CSR 15-2.250	Administrative Hearing Commission		27 MoReg 1094R	27 MoReg 1878R	
1 CSR 15-2.270	Administrative Hearing Commission		27 MoReg 1094R	27 MoReg 1879R	
1 CSR 15-2.290	Administrative Hearing Commission		27 MoReg 1094R	27 MoReg 1879R	
1 CSR 15-2.320	Administrative Hearing Commission		27 MoReg 1095R	27 MoReg 1879R	
1 CSR 15-2.350	Administrative Hearing Commission		27 MoReg 1095R	27 MoReg 1879R	
1 CSR 15-2.380	Administrative Hearing Commission		27 MoReg 1095R	27 MoReg 1879R	
1 CSR 15-2.390	Administrative Hearing Commission		27 MoReg 1095R	27 MoReg 1879R	
1 CSR 15-2.410	Administrative Hearing Commission		27 MoReg 1096R	27 MoReg 1879R	
1 CSR 15-2.420	Administrative Hearing Commission		27 MoReg 1096R	27 MoReg 1880R	
1 CSR 15-2.430	Administrative Hearing Commission		27 MoReg 1096R	27 MoReg 1880R	
1 CSR 15-2.450	Administrative Hearing Commission		27 MoReg 1097R	27 MoReg 1880R	
1 CSR 15-2.470	Administrative Hearing Commission		27 MoReg 1097R	27 MoReg 1880R	
1 CSR 15-2.480	Administrative Hearing Commission		27 MoReg 1097R	27 MoReg 1880R	
1 CSR 15-2.490	Administrative Hearing Commission		27 MoReg 1097R	27 MoReg 1880R	
1 CSR 15-2.510	Administrative Hearing Commission		27 MoReg 1098R	27 MoReg 1881R	
1 CSR 15-2.530	Administrative Hearing Commission		27 MoReg 1098R	27 MoReg 1881R	
1 CSR 15-2.560	Administrative Hearing Commission		27 MoReg 1098R	27 MoReg 1881R	
1 CSR 15-2.580	Administrative Hearing Commission		27 MoReg 1099R	27 MoReg 1881R	
1 CSR 15-3.200	Administrative Hearing Commission		27 MoReg 1099	27 MoReg 1881	
1 CSR 15-3.210	Administrative Hearing Commission		27 MoReg 1099	27 MoReg 1882	
1 CSR 15-3.250	Administrative Hearing Commission		27 MoReg 1100	27 MoReg 1882	
1 CSR 15-3.320	Administrative Hearing Commission		27 MoReg 1100	27 MoReg 1882	
1 CSR 15-3.350	Administrative Hearing Commission		27 MoReg 1101	27 MoReg 1883	
1 CSR 15-3.380	Administrative Hearing Commission		27 MoReg 1101	27 MoReg 1883	
1 CSR 15-3.390	Administrative Hearing Commission		27 MoReg 1102	27 MoReg 1883	
1 CSR 15-3.410	Administrative Hearing Commission		27 MoReg 1102	27 MoReg 1883	
1 CSR 15-3.420	Administrative Hearing Commission		27 MoReg 1103	27 MoReg 1884	
1 CSR 15-3.425	Administrative Hearing Commission		27 MoReg 1103	27 MoReg 1884	
1 CSR 15-3.430	Administrative Hearing Commission		27 MoReg 1104R	27 MoReg 1884R	
1 CSR 15-3.440	Administrative Hearing Commission		27 MoReg 1104	27 MoReg 1885	
1 CSR 15-3.450	Administrative Hearing Commission		27 MoReg 1105R	27 MoReg 1885R	
1 CSR 15-3.470	Administrative Hearing Commission		27 MoReg 1105	27 MoReg 1885	
1 CSR 15-3.490	Administrative Hearing Commission		27 MoReg 1106	27 MoReg 1886	
1 CSR 15-3.580	Administrative Hearing Commission		27 MoReg 1106	27 MoReg 1886	
1 CSR 20-1.040	Personnel Advisory Board and Division of Personnel				27 MoReg 1861
1 CSR 20-4.020	Personnel Advisory Board and Division of Personnel				27 MoReg 1861
1 CSR 20-5.010	Personnel Advisory Board and Division of Personnel				27 MoReg 1865
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel	27 MoReg 847	27 MoReg 1865		
1 CSR 40-1.090	Purchasing and Materials Management				27 MoReg 1107
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.010	Market Development	26 MoReg 1305R			
		26 MoReg 1305			
2 CSR 30-2.010	Animal Health		27 MoReg 966		
2 CSR 30-2.011	Animal Health	27 MoReg 848			
2 CSR 30-2.012	Animal Health	27 MoReg 1439			
2 CSR 30-2.020	Animal Health		27 MoReg 967		
2 CSR 30-2.040	Animal Health		27 MoReg 969		
2 CSR 30-6.020	Animal Health		27 MoReg 970		
2 CSR 70-13.045	Plant Industries	27 MoReg 767	27 MoReg 774	27 MoReg 1886	
2 CSR 70-13.050	Plant Industries	27 MoReg 767	27 MoReg 776	27 MoReg 1888	
2 CSR 70-40.015	Plant Industries		27 MoReg 1561R		
			27 MoReg 1561		
2 CSR 70-40.025	Plant Industries		27 MoReg 1562R		
			27 MoReg 1563		
2 CSR 70-40.040	Plant Industries		27 MoReg 1563R		
			27 MoReg 1563		
2 CSR 70-40.045	Plant Industries		27 MoReg 1564		
2 CSR 90-10.040	Weights and Measures	27 MoReg 1161			
2 CSR 90-20.040	Weights and Measures	27 MoReg 1559	27 MoReg 1564		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
2 CSR 90-22.140	Weights and Measures		27 MoReg 1868		
2 CSR 90-23.010	Weights and Measures		27 MoReg 1868		
2 CSR 90-25.010	Weights and Measures		27 MoReg 1869		
2 CSR 90-30.040	Weights and Measures	27 MoReg 1559	27 MoReg 1565		
2 CSR 90-30.050	Weights and Measures		27 MoReg 1565		
2 CSR 110-1.010	Office of the Director	27 MoReg 1439	27 MoReg 1443		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.111	Conservation Commission		27 MoReg 1765		
3 CSR 10-4.130	Conservation Commission		27 MoReg 971	27 MoReg 1478F	
3 CSR 10-4.141	Conservation Commission		27 MoReg 972	27 MoReg 1478F	
3 CSR 10-5.205	Conservation Commission		27 MoReg 972	27 MoReg 1478F	
3 CSR 10-5.215	Conservation Commission		27 MoReg 973	27 MoReg 1478F	
3 CSR 10-5.225	Conservation Commission		27 MoReg 973	27 MoReg 1478F	
3 CSR 10-5.340	Conservation Commission		27 MoReg 1182	This IssueW	
3 CSR 10-5.345	Conservation Commission		27 MoReg 1184	This IssueW	
3 CSR 10-5.350	Conservation Commission		27 MoReg 973R	27 MoReg 1479R	
3 CSR 10-5.351	Conservation Commission		27 MoReg 1186	This IssueF	
3 CSR 10-5.352	Conservation Commission		27 MoReg 974	27 MoReg 1479	
3 CSR 10-5.353	Conservation Commission		27 MoReg 974	27 MoReg 1479	
3 CSR 10-5.359	Conservation Commission		27 MoReg 1188	This IssueF	
3 CSR 10-5.360	Conservation Commission		27 MoReg 1190	This IssueF	
3 CSR 10-5.365	Conservation Commission		27 MoReg 1192	This IssueW	
3 CSR 10-5.420	Conservation Commission		27 MoReg 1194	This IssueW	
3 CSR 10-5.425	Conservation Commission		27 MoReg 974	27 MoReg 1479	
3 CSR 10-5.440	Conservation Commission		27 MoReg 1196	This IssueW	
3 CSR 10-5.445	Conservation Commission		27 MoReg 1198	This IssueW	
3 CSR 10-5.460	Conservation Commission		27 MoReg 974	27 MoReg 1479F	
3 CSR 10-5.465	Conservation Commission		27 MoReg 975	27 MoReg 1479F	
3 CSR 10-5.550	Conservation Commission		27 MoReg 975R	27 MoReg 1480R	
3 CSR 10-5.551	Conservation Commission		27 MoReg 975	27 MoReg 1480	
3 CSR 10-5.552	Conservation Commission		27 MoReg 976	27 MoReg 1480	
3 CSR 10-5.553	Conservation Commission		27 MoReg 976	27 MoReg 1480	
3 CSR 10-5.559	Conservation Commission		27 MoReg 976	27 MoReg 1480	
3 CSR 10-5.575	Conservation Commission		27 MoReg 976R	27 MoReg 1480R	
3 CSR 10-5.576	Conservation Commission		27 MoReg 977	27 MoReg 1481	
3 CSR 10-5.577	Conservation Commission		27 MoReg 977	27 MoReg 1481	
3 CSR 10-5.578	Conservation Commission		27 MoReg 977	27 MoReg 1481	
3 CSR 10-6.405	Conservation Commission		27 MoReg 978	27 MoReg 1481F	
3 CSR 10-6.410	Conservation Commission		27 MoReg 978	27 MoReg 1481F	
3 CSR 10-6.415	Conservation Commission		27 MoReg 978	27 MoReg 1481F	
3 CSR 10-6.505	Conservation Commission		27 MoReg 1444		
3 CSR 10-6.525	Conservation Commission		27 MoReg 1319	This Issue	
3 CSR 10-6.540	Conservation Commission		27 MoReg 979	27 MoReg 1482F	
3 CSR 10-6.550	Conservation Commission		27 MoReg 979	27 MoReg 1482F	
3 CSR 10-6.605	Conservation Commission		27 MoReg 979	27 MoReg 1482F	
3 CSR 10-7.410	Conservation Commission		27 MoReg 980	27 MoReg 1482F	
3 CSR 10-7.440	Conservation Commission		N.A.	27 MoReg 1805	
3 CSR 10-7.435	Conservation Commission		27 MoReg 1319	This Issue	
3 CSR 10-7.455	Conservation Commission		27 MoReg 980	27 MoReg 1482F	
3 CSR 10-8.510	Conservation Commission		27 MoReg 981	27 MoReg 1482F	27 MoReg 1902
3 CSR 10-8.515	Conservation Commission		27 MoReg 981	27 MoReg 1483F	
3 CSR 10-9.106	Conservation Commission		27 MoReg 982	27 MoReg 1483F	
3 CSR 10-9.110	Conservation Commission		27 MoReg 982	27 MoReg 1483F	
3 CSR 10-9.220	Conservation Commission		27 MoReg 983	27 MoReg 1483F	
3 CSR 10-9.351	Conservation Commission		27 MoReg 986	27 MoReg 1483F	
3 CSR 10-9.353	Conservation Commission		27 MoReg 986	27 MoReg 1483F	
		27 MoReg 1441	27 MoReg 1445		
		27 MoReg 1441T			
3 CSR 10-9.359	Conservation Commission		27 MoReg 986	27 MoReg 1484F	
3 CSR 10-9.425	Conservation Commission		27 MoReg 987	27 MoReg 1484F	
3 CSR 10-9.442	Conservation Commission		N.A.	27 MoReg 1806	
3 CSR 10-9.560	Conservation Commission		27 MoReg 987	27 MoReg 1484F	
3 CSR 10-9.565	Conservation Commission	27 MoReg 1441	27 MoReg 1448		
		27 MoReg 1441T			
3 CSR 10-9.566	Conservation Commission		27 MoReg 1765		
3 CSR 10-9.570	Conservation Commission		27 MoReg 988	27 MoReg 1484F	
3 CSR 10-9.575	Conservation Commission		27 MoReg 988	27 MoReg 1484F	
3 CSR 10-9.625	Conservation Commission		27 MoReg 988	27 MoReg 1484	
3 CSR 10-9.627	Conservation Commission		27 MoReg 1766		
3 CSR 10-9.628	Conservation Commission		27 MoReg 1766		
3 CSR 10-9.630	Conservation Commission		27 MoReg 989R	27 MoReg 1485F	
3 CSR 10-9.645	Conservation Commission		27 MoReg 989	27 MoReg 1485F	
3 CSR 10-10.743	Conservation Commission		27 MoReg 990	27 MoReg 1485F	
3 CSR 10-11.110	Conservation Commission		27 MoReg 990	27 MoReg 1485	
3 CSR 10-11.115	Conservation Commission		27 MoReg 990	27 MoReg 1485	
3 CSR 10-11.125	Conservation Commission		27 MoReg 991	27 MoReg 1485	
3 CSR 10-11.140	Conservation Commission		27 MoReg 991	27 MoReg 1486	
3 CSR 10-11.145	Conservation Commission		27 MoReg 991	27 MoReg 1486F	
3 CSR 10-11.150	Conservation Commission		27 MoReg 1200	27 MoReg 1807	
3 CSR 10-11.155	Conservation Commission		27 MoReg 992	27 MoReg 1486F	
3 CSR 10-11.160	Conservation Commission		27 MoReg 992	27 MoReg 1486F	
3 CSR 10-11.165	Conservation Commission		27 MoReg 993	27 MoReg 1486F	

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3 CSR 10-11.180	Conservation Commission		27 MoReg 993	27 MoReg 1486	
3 CSR 10-11.182	Conservation Commission		27 MoReg 1451 27 MoReg 994 27 MoReg 1200 27 MoReg 1452	27 MoReg 1487 27 MoReg 1807	
3 CSR 10-11.183	Conservation Commission		27 MoReg 995	27 MoReg 1487	
3 CSR 10-11.186	Conservation Commission		27 MoReg 995	27 MoReg 1487F	
3 CSR 10-11.205	Conservation Commission		27 MoReg 996	27 MoReg 1487F	
3 CSR 10-11.210	Conservation Commission		27 MoReg 996	27 MoReg 1487F	
3 CSR 10-11.215	Conservation Commission		27 MoReg 997	27 MoReg 1487F	
3 CSR 10-12.110	Conservation Commission		27 MoReg 998	27 MoReg 1488F	
3 CSR 10-12.125	Conservation Commission		27 MoReg 998	27 MoReg 1488	
3 CSR 10-12.135	Conservation Commission		27 MoReg 998	27 MoReg 1488	
3 CSR 10-12.140	Conservation Commission		27 MoReg 1453 27 MoReg 998	27 MoReg 1488	
3 CSR 10-12.145	Conservation Commission		27 MoReg 1453 27 MoReg 999	27 MoReg 1488	
3 CSR 10-20.805	Conservation Commission		27 MoReg 1454 27 MoReg 1000	27 MoReg 1488	
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DEPARTMENT OF ECONOMIC DEVELOPMENT

4 CSR 30-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects		27 MoReg 1251		
4 CSR 30-6.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects		27 MoReg 1255		
4 CSR 100	Division of Credit Unions			27 MoReg 1222 27 MoReg 1288 27 MoReg 1512 27 MoReg 1722	
4 CSR 100-2.005	Division of Credit Unions		27 MoReg 1768		
4 CSR 110-2.110	Missouri Dental Board		27 MoReg 1255R 27 MoReg 1255 27 MoReg 1257		
4 CSR 110-2.240	Missouri Dental Board		27 MoReg 1257		
4 CSR 140-11.010	Division of Finance		27 MoReg 459R	27 MoReg 1489W	
4 CSR 140-11.020	Division of Finance		27 MoReg 459R	27 MoReg 1489W	
4 CSR 140-11.030	Division of Finance		27 MoReg 459	27 MoReg 1489W	
4 CSR 140-11.040	Division of Finance		27 MoReg 461	27 MoReg 1489W	
4 CSR 150-2.030	State Board of Registration for the Healing Arts		27 MoReg 860	27 MoReg 1807	
4 CSR 150-2.040	State Board of Registration for the Healing Arts		27 MoReg 860	27 MoReg 1807	
4 CSR 150-2.060	State Board of Registration for the Healing Arts		27 MoReg 860	27 MoReg 1807	
4 CSR 150-2.080	State Board of Registration for the Healing Arts		27 MoReg 776	27 MoReg 1717	
4 CSR 150-2.155	State Board of Registration for the Healing Arts		27 MoReg 861	27 MoReg 1807	
4 CSR 150-3.010	State Board of Registration for the Healing Arts		27 MoReg 1257		
4 CSR 150-3.020	State Board of Registration for the Healing Arts		27 MoReg 1258		
4 CSR 150-3.080	State Board of Registration for the Healing Arts		27 MoReg 1258		
4 CSR 150-3.210	State Board of Registration for the Healing Arts		27 MoReg 1565		
4 CSR 150-4.010	State Board of Registration for the Healing Arts		27 MoReg 861	27 MoReg 1808	
4 CSR 150-4.060	State Board of Registration for the Healing Arts		27 MoReg 861	27 MoReg 1808	
4 CSR 150-4.220	State Board of Registration for the Healing Arts		27 MoReg 1568		
4 CSR 150-6.050	State Board of Registration for the Healing Arts		27 MoReg 862	27 MoReg 1808	
4 CSR 150-6.080	State Board of Registration for the Healing Arts		27 MoReg 1570		
4 CSR 150-7.200	State Board of Registration for the Healing Arts		27 MoReg 862	27 MoReg 1808	
4 CSR 150-7.320	State Board of Registration for the Healing Arts		27 MoReg 1572		
4 CSR 150-8.060	State Board of Registration for the Healing Arts		27 MoReg 862	27 MoReg 1808	
4 CSR 150-8.150	State Board of Registration for the Healing Arts		27 MoReg 1574		
4 CSR 165-2.050	Board of Examiners for Hearing Instrument Specialists		27 MoReg 1258		
4 CSR 200-4.020	State Board of Nursing		27 MoReg 1258		
4 CSR 200-4.030	State Board of Nursing		27 MoReg 1261		
4 CSR 205-1.050	Missouri Board of Occupational Therapy		27 MoReg 1262		
4 CSR 210-2.010	State Board of Optometry		27 MoReg 1265		
4 CSR 210-2.011	State Board of Optometry		27 MoReg 1265		
4 CSR 210-2.020	State Board of Optometry		27 MoReg 1265		
4 CSR 210-2.040	State Board of Optometry		27 MoReg 1266		
4 CSR 210-2.070	State Board of Optometry		27 MoReg 1266		
4 CSR 210-2.081	State Board of Optometry		27 MoReg 1266		
4 CSR 220-2.010	State Board of Pharmacy		27 MoReg 1267		
4 CSR 220-2.025	State Board of Pharmacy		27 MoReg 1270		
4 CSR 220-2.030	State Board of Pharmacy		27 MoReg 1270		
4 CSR 220-2.050	State Board of Pharmacy		27 MoReg 1271		
4 CSR 220-2.085	State Board of Pharmacy			26 MoReg 2433	
4 CSR 220-2.100	State Board of Pharmacy		27 MoReg 1271		
4 CSR 220-3.040	State Board of Pharmacy		27 MoReg 777	27 MoReg 1808	
4 CSR 240-2.060	Public Service Commission		27 MoReg 1576		
4 CSR 240-2.075	Public Service Commission		27 MoReg 691	27 MoReg 1809	
4 CSR 240-2.080	Public Service Commission		27 MoReg 1107		
4 CSR 240-2.115	Public Service Commission		27 MoReg 691	27 MoReg 1811	
4 CSR 240-2.117	Public Service Commission		27 MoReg 692	27 MoReg 1814	
4 CSR 240-2.200	Public Service Commission		27 MoReg 1578R		
4 CSR 240-3.010	Public Service Commission		27 MoReg 1578		
4 CSR 240-3.015	Public Service Commission		27 MoReg 1580		
4 CSR 240-3.020	Public Service Commission		27 MoReg 1580		
4 CSR 240-3.025	Public Service Commission		27 MoReg 1580		
4 CSR 240-3.030	Public Service Commission		27 MoReg 1581		

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4 CSR 240-30.010	Public Service Commission		27 MoReg 1646R		
4 CSR 240-32.030	Public Service Commission		27 MoReg 1647R		
4 CSR 240-33.060	Public Service Commission		27 MoReg 1647		
4 CSR 240-40.010	Public Service Commission		27 MoReg 1648R		
4 CSR 240-40.040	Public Service Commission		27 MoReg 1648		
4 CSR 240-45.010	Public Service Commission		27 MoReg 1649R		
4 CSR 240-50.010	Public Service Commission		27 MoReg 1650R		
4 CSR 240-51.010	Public Service Commission		27 MoReg 1650R		
4 CSR 240-60.030	Public Service Commission		27 MoReg 1650R		
4 CSR 240-80.010	Public Service Commission		27 MoReg 1651R		
4 CSR 240-80.020	Public Service Commission		27 MoReg 1651		
4 CSR 250-3.010	Missouri Real Estate Commission		27 MoReg 1272		
4 CSR 250-4.020	Missouri Real Estate Commission		27 MoReg 1272		
4 CSR 250-4.070	Missouri Real Estate Commission		27 MoReg 1272		
4 CSR 250-4.075	Missouri Real Estate Commission		27 MoReg 1273		
4 CSR 250-4.080	Missouri Real Estate Commission		27 MoReg 1273		
4 CSR 250-7.020	Missouri Real Estate Commission		27 MoReg 1273		
4 CSR 250-8.155	Missouri Real Estate Commission		27 MoReg 1273		
4 CSR 250-8.220	Missouri Real Estate Commission		27 MoReg 1274		
4 CSR 250-9.010	Missouri Real Estate Commission		27 MoReg 1274		
4 CSR 250-10.010	Missouri Real Estate Commission		27 MoReg 1274		
4 CSR 250-10.020	Missouri Real Estate Commission		27 MoReg 1274		
4 CSR 250-10.030	Missouri Real Estate Commission		27 MoReg 1275		
4 CSR 250-10.040	Missouri Real Estate Commission		27 MoReg 1275		
4 CSR 250-10.070	Missouri Real Estate Commission		27 MoReg 1275		
4 CSR 255-2.010	Missouri Board for Respiratory Care		27 MoReg 1275		
4 CSR 255-2.050	Missouri Board for Respiratory Care		27 MoReg 780	27 MoReg 1817	
4 CSR 255-2.060	Missouri Board for Respiratory Care		27 MoReg 780	27 MoReg 1817	
4 CSR 255-4.010	Missouri Board for Respiratory Care		27 MoReg 1276		
4 CSR 265-8.060	Motor Carrier and Railroad Safety				26 MoReg 2181
4 CSR 267-1.010	Office of Tattooing, Body Piercing and Branding		27 MoReg 1652		
4 CSR 267-1.020	Office of Tattooing, Body Piercing and Branding		27 MoReg 1653		
4 CSR 267-1.030	Office of Tattooing, Body Piercing and Branding		27 MoReg 1657		
4 CSR 267-2.010	Office of Tattooing, Body Piercing and Branding		27 MoReg 1660		
4 CSR 267-2.020	Office of Tattooing, Body Piercing and Branding		27 MoReg 1664		
4 CSR 267-2.030	Office of Tattooing, Body Piercing and Branding		27 MoReg 1664		
4 CSR 267-3.010	Office of Tattooing, Body Piercing and Branding		27 MoReg 1668		
4 CSR 267-4.010	Office of Tattooing, Body Piercing and Branding		27 MoReg 1670		
4 CSR 267-5.010	Office of Tattooing, Body Piercing and Branding		27 MoReg 1673		
4 CSR 267-5.020	Office of Tattooing, Body Piercing and Branding		27 MoReg 1676		
4 CSR 267-5.030	Office of Tattooing, Body Piercing and Branding		27 MoReg 1678		
4 CSR 267-5.040	Office of Tattooing, Body Piercing and Branding		27 MoReg 1681		
4 CSR 267-6.010	Office of Tattooing, Body Piercing and Branding		27 MoReg 1683		
4 CSR 267-6.020	Office of Tattooing, Body Piercing and Branding		27 MoReg 1685		
4 CSR 267-6.030	Office of Tattooing, Body Piercing and Branding		27 MoReg 1687		
4 CSR 270-2.021	Missouri Veterinary Medical Board		27 MoReg 1276		
4 CSR 270-6.011	Missouri Veterinary Medical Board		27 MoReg 1277		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-4.030	Division of Administrative and Financial Services		This IssueR		
			This Issue		
5 CSR 50-340.030	Division of School Improvement		27 MoReg 693	27 MoReg 1717	
5 CSR 50-340.110	Division of School Improvement		27 MoReg 693	27 MoReg 1817W	
5 CSR 60-100.010	Vocational and Adult Education		N.A.	This Issue	
5 CSR 60-100.020	Vocational and Adult Education		This Issue		
5 CSR 60-120.010	Vocational and Adult Education				27 MoReg 1722
5 CSR 60-480.100	Vocational and Adult Education		This IssueR		
			This Issue		
5 CSR 60-900.050	Vocational and Adult Education		This Issue		
5 CSR 80-800.200	Teacher Quality and Urban Education		27 MoReg 1689		
5 CSR 80-800.220	Teacher Quality and Urban Education		27 MoReg 1690		
5 CSR 80-800.230	Teacher Quality and Urban Education		27 MoReg 1691		
5 CSR 80-800.260	Teacher Quality and Urban Education		27 MoReg 1693		
5 CSR 80-800.270	Teacher Quality and Urban Education		27 MoReg 1695		
5 CSR 80-800.280	Teacher Quality and Urban Education		27 MoReg 1696		
5 CSR 80-800.300	Teacher Quality and Urban Education		27 MoReg 1696		
5 CSR 80-800.350	Teacher Quality and Urban Education		27 MoReg 1698		
5 CSR 80-800.360	Teacher Quality and Urban Education		27 MoReg 1702		
5 CSR 80-800.370	Teacher Quality and Urban Education		27 MoReg 1703		
5 CSR 80-800.380	Teacher Quality and Urban Education		27 MoReg 1768		This Issue
5 CSR 80-805.015	Teacher Quality and Urban Education		This Issue		
5 CSR 80-805.040	Teacher Quality and Urban Education		This Issue		
5 CSR 80-850.010	Teacher Quality and Urban Education		27 MoReg 694R	27 MoReg 1717R	
			27 MoReg 695	27 MoReg 1717	
5 CSR 90-4.300	Vocational Rehabilitation		27 MoReg 1703		
5 CSR 90-4.430	Vocational Rehabilitation				27 MoReg 1722
5 CSR 90-5.420	Vocational Rehabilitation				27 MoReg 1723
5 CSR 90-5.430	Vocational Rehabilitation				27 MoReg 1723
5 CSR 90-5.450	Vocational Rehabilitation				27 MoReg 1723

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7 CSR 10-23.010	Missouri Highways and Transportation Commission		27 MoReg 1002		
7 CSR 10-23.020	Missouri Highways and Transportation Commission		27 MoReg 1002		
7 CSR 10-23.030	Missouri Highways and Transportation Commission		27 MoReg 1008		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-3.010	Division of Employment Security		27 MoReg 1454		
8 CSR 10-4.180	Division of Employment Security	27 MoReg 1162	27 MoReg 1200		This Issue
8 CSR 10-5.010	Division of Employment Security		27 MoReg 780		27 MoReg 1489
8 CSR 10-5.015	Division of Employment Security		27 MoReg 782		27 MoReg 1490
8 CSR 10-5.030	Division of Employment Security		27 MoReg 785R		27 MoReg 1490R
8 CSR 10-5.040	Division of Employment Security		27 MoReg 785		27 MoReg 1490
8 CSR 10-5.040	Division of Employment Security		27 MoReg 785R		27 MoReg 1490R
8 CSR 10-5.050	Division of Employment Security		27 MoReg 786		27 MoReg 1490
8 CSR 10-5.050	Division of Employment Security		27 MoReg 786		27 MoReg 1490
DEPARTMENT OF MENTAL HEALTH					
9 CSR 10-1.010	Director, Department of Mental Health		27 MoReg 863		27 MoReg 1718
9 CSR 10-5.200	Director, Department of Mental Health	27 MoReg 615	27 MoReg 618		27 MoReg 1718
		27 MoReg 1858			
9 CSR 10-7.020	Director, Department of Mental Health		27 MoReg 1455		
9 CSR 10-7.060	Director, Department of Mental Health		27 MoReg 787		27 MoReg 1888
9 CSR 10-7.070	Director, Department of Mental Health		27 MoReg 788		27 MoReg 1888
9 CSR 10-7.110	Director, Department of Mental Health		27 MoReg 1772		
9 CSR 10-7.130	Director, Department of Mental Health		This Issue		
9 CSR 10-7.140	Director, Department of Mental Health		27 MoReg 788		27 MoReg 1888
9 CSR 25-2.105	Fiscal Management		This Issue		
9 CSR 30-3.100	Certification Standards		27 MoReg 1455		
9 CSR 30-3.110	Certification Standards		This Issue		
9 CSR 30-3.120	Certification Standards		27 MoReg 790		27 MoReg 1888
9 CSR 30-3.130	Certification Standards		27 MoReg 1457		
9 CSR 30-3.140	Certification Standards		27 MoReg 790		27 MoReg 1889
9 CSR 30-3.192	Certification Standards		27 MoReg 790		27 MoReg 1889
			27 MoReg 1457		
9 CSR 30-4.010	Certification Standards		27 MoReg 1457		
9 CSR 30-4.030	Certification Standards		27 MoReg 1458		
9 CSR 30-4.034	Certification Standards		27 MoReg 1459		
9 CSR 30-4.035	Certification Standards		27 MoReg 1459		
9 CSR 30-4.039	Certification Standards		27 MoReg 1460		
9 CSR 30-4.041	Certification Standards		27 MoReg 1460		
9 CSR 30-4.042	Certification Standards		27 MoReg 1461		
9 CSR 30-4.043	Certification Standards		27 MoReg 1462		
9 CSR 30-4.195	Certification Standards		27 MoReg 1772		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10	Air Conservation Commission				27 MoReg 652
10 CSR 10-2.080	Air Conservation Commission		27 MoReg 564R		27 MoReg 1817R
10 CSR 10-2.260	Air Conservation Commission		27 MoReg 699		27 MoReg 1889
10 CSR 10-2.280	Air Conservation Commission		27 MoReg 1107R		
10 CSR 10-3.060	Air Conservation Commission		27 MoReg 699		27 MoReg 1889
10 CSR 10-4.040	Air Conservation Commission		27 MoReg 700		27 MoReg 1889
10 CSR 10-5.170	Air Conservation Commission		27 MoReg 1462		
10 CSR 10-5.180	Air Conservation Commission		27 MoReg 564R		27 MoReg 1817R
10 CSR 10-5.320	Air Conservation Commission		27 MoReg 1108R		
10 CSR 10-5.380	Air Conservation Commission		27 MoReg 1010		This Issue
10 CSR 10-6.060	Air Conservation Commission		27 MoReg 1704		
10 CSR 10-6.065	Air Conservation Commission		27 MoReg 1462		
10 CSR 10-6.120	Air Conservation Commission		27 MoReg 1707		
10 CSR 10-6.130	Air Conservation Commission		27 MoReg 622		27 MoReg 1818
10 CSR 10-6.220	Air Conservation Commission		27 MoReg 564		27 MoReg 1823
10 CSR 10-6.320	Air Conservation Commission		27 MoReg 1108		
10 CSR 10-6.410	Air Conservation Commission		27 MoReg 1708		
10 CSR 25-12.010	Hazardous Waste Management Commission		27 MoReg 702		27 MoReg 1890
10 CSR 40-10.020	Land Reclamation Commission		27 MoReg 626		27 MoReg 1719
10 CSR 60-4.050	Public Drinking Water Program		27 MoReg 325		27 MoReg 1890
10 CSR 60-4.060	Public Drinking Water Program		27 MoReg 329R		27 MoReg 1891R
			27 MoReg 329		27 MoReg 1891
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 10-5.010	Adjutant General	27 MoReg 1249	27 MoReg 1277		
11 CSR 40-2.010	Division of Fire Safety		This IssueR		
			This Issue		
11 CSR 40-2.015	Division of Fire Safety		This Issue		
11 CSR 40-2.020	Division of Fire Safety		This IssueR		
11 CSR 40-2.021	Division of Fire Safety		This Issue		
11 CSR 40-2.022	Division of Fire Safety		This Issue		
11 CSR 40-2.030	Division of Fire Safety		This IssueR		
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11 CSR 40-2.040	Division of Fire Safety		This IssueR		
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11 CSR 40-2.050	Division of Fire Safety		This IssueR		
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11 CSR 40-2.060	Division of Fire Safety		This IssueR		

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11 CSR 75-15.030	Peace Officer Standards and Training		27 MoReg 891	27 MoReg 1503	
11 CSR 75-15.040	Peace Officer Standards and Training		27 MoReg 892	27 MoReg 1504	
11 CSR 75-15.050	Peace Officer Standards and Training		27 MoReg 892	27 MoReg 1505	
11 CSR 75-15.060	Peace Officer Standards and Training		27 MoReg 892	27 MoReg 1505	
11 CSR 75-15.070	Peace Officer Standards and Training		27 MoReg 893	27 MoReg 1505	
11 CSR 75-16.010	Peace Officer Standards and Training		27 MoReg 893	27 MoReg 1505	
DEPARTMENT OF REVENUE					
12 CSR	Construction Transient Employers				27 MoReg 416 27 MoReg 925 27 MoReg 1514
12 CSR 10-2.005	Director of Revenue		27 MoReg 791R	27 MoReg 1505R	
12 CSR 10-2.015	Director of Revenue		27 MoReg 707	27 MoReg 1505	
12 CSR 10-2.040	Director of Revenue		27 MoReg 792R	27 MoReg 1505R	
12 CSR 10-2.065	Director of Revenue		27 MoReg 792R	27 MoReg 1505R	
12 CSR 10-2.145	Director of Revenue		27 MoReg 792R	27 MoReg 1505R	
12 CSR 10-2.175	Director of Revenue		27 MoReg 792R	27 MoReg 1505R	
12 CSR 10-3.008	Director of Revenue		27 MoReg 707R	27 MoReg 1506R	
12 CSR 10-3.031	Director of Revenue		27 MoReg 707R	27 MoReg 1506R	
12 CSR 10-3.034	Director of Revenue		27 MoReg 708R	27 MoReg 1506R	
12 CSR 10-3.042	Director of Revenue		27 MoReg 708R	27 MoReg 1506R	
12 CSR 10-3.044	Director of Revenue		27 MoReg 708R	27 MoReg 1506R	
12 CSR 10-3.116	Director of Revenue		27 MoReg 708R	27 MoReg 1506R	
12 CSR 10-3.144	Director of Revenue		27 MoReg 709R	27 MoReg 1506R	
12 CSR 10-3.158	Director of Revenue		27 MoReg 709R	27 MoReg 1507R	
12 CSR 10-3.179	Director of Revenue		27 MoReg 709R	27 MoReg 1507R	
12 CSR 10-3.233	Director of Revenue		27 MoReg 709R	27 MoReg 1507R	
12 CSR 10-3.240	Director of Revenue		27 MoReg 793R	27 MoReg 1507R	
12 CSR 10-3.245	Director of Revenue		27 MoReg 793R	27 MoReg 1507R	
12 CSR 10-3.247	Director of Revenue		27 MoReg 793R	27 MoReg 1507R	
12 CSR 10-3.250	Director of Revenue		27 MoReg 793R	27 MoReg 1507R	
12 CSR 10-3.254	Director of Revenue		27 MoReg 794R	27 MoReg 1508R	
12 CSR 10-3.256	Director of Revenue		27 MoReg 794R	27 MoReg 1508R	
12 CSR 10-3.258	Director of Revenue		27 MoReg 794R	27 MoReg 1508R	
12 CSR 10-3.292	Director of Revenue		27 MoReg 794R	27 MoReg 1508R	
12 CSR 10-3.294	Director of Revenue		27 MoReg 795R	27 MoReg 1508R	
12 CSR 10-3.300	Director of Revenue		27 MoReg 795R	27 MoReg 1508R	
12 CSR 10-8.040	Director of Revenue		27 MoReg 710R	27 MoReg 1508R	
12 CSR 10-8.050	Director of Revenue		27 MoReg 710R	27 MoReg 1509R	
12 CSR 10-8.060	Director of Revenue		27 MoReg 710R	27 MoReg 1509R	
12 CSR 10-8.070	Director of Revenue		27 MoReg 710R	27 MoReg 1509R	
12 CSR 10-8.080	Director of Revenue		27 MoReg 711R	27 MoReg 1509R	
12 CSR 10-8.090	Director of Revenue		27 MoReg 711R	27 MoReg 1509R	
12 CSR 10-8.100	Director of Revenue		27 MoReg 711R	27 MoReg 1509R	
12 CSR 10-8.110	Director of Revenue		27 MoReg 711R	27 MoReg 1510R	
12 CSR 10-8.130	Director of Revenue		27 MoReg 712R	27 MoReg 1510R	
12 CSR 10-8.140	Director of Revenue		27 MoReg 712R	27 MoReg 1510R	
12 CSR 10-8.150	Director of Revenue		27 MoReg 712R	27 MoReg 1510R	
12 CSR 10-23.454	Director of Revenue		27 MoReg 1785		
12 CSR 10-24.020	Director of Revenue		27 MoReg 1785		
12 CSR 10-24.050	Director of Revenue		27 MoReg 1472		
12 CSR 10-24.430	Director of Revenue		27 MoReg 1280		
12 CSR 10-26.010	Director of Revenue		27 MoReg 1786		
12 CSR 10-26.020	Director of Revenue		27 MoReg 1786		
12 CSR 10-26.060	Director of Revenue		This Issue		
12 CSR 10-26.090	Director of Revenue		27 MoReg 1787		
12 CSR 10-102.016	Director of Revenue		27 MoReg 712	27 MoReg 1510	
12 CSR 10-103.395	Director of Revenue		27 MoReg 713	27 MoReg 1721	
12 CSR 10-108.700	Director of Revenue		27 MoReg 713	27 MoReg 1510	
12 CSR 30-3.010	State Tax Commission		27 MoReg 1202R	27 MoReg 1891R	
			27 MoReg 1202	27 MoReg 1891	
12 CSR 30-4.010	State Tax Commission		27 MoReg 250		
12 CSR 40-50.010	State Tax Commission		27 MoReg 1787		
12 CSR 40-80.080	State Tax Commission		27 MoReg 1787		
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 40-2.140	Division of Family Services	27 MoReg 1163	27 MoReg 1203		
13 CSR 40-2.375	Division of Family Services	27 MoReg 1164	27 MoReg 1204		
13 CSR 40-19.020	Division of Family Services	27 MoReg 1858	27 MoReg 1872		
13 CSR 40-30.030	Division of Family Services	27 MoReg 1164	27 MoReg 1206		
13 CSR 70-3.020	Division of Medical Services		27 MoReg 1472		
13 CSR 70-4.090	Division of Medical Services	27 MoReg 1165	27 MoReg 1206	27 MoReg 1891	
13 CSR 70-10.015	Division of Medical Services		27 MoReg 1473		
13 CSR 70-10.150	Division of Medical Services				27 MoReg 1125
13 CSR 70-15.010	Division of Medical Services	27 MoReg 1089	27 MoReg 894	27 MoReg 1823	
13 CSR 70-15.040	Division of Medical Services	27 MoReg 1168	27 MoReg 1210		
13 CSR 70-15.110	Division of Medical Services	27 MoReg 1091	27 MoReg 898	27 MoReg 1824	
13 CSR 70-15.160	Division of Medical Services	27 MoReg 1169	27 MoReg 1213		
13 CSR 70-15.170	Division of Medical Services	27 MoReg 1170			
13 CSR 70-20.031	Division of Medical Services	27 MoReg 1170	27 MoReg 1215		
13 CSR 70-20.032	Division of Medical Services	27 MoReg 1171	27 MoReg 1215		
13 CSR 70-20.034	Division of Medical Services	27 MoReg 1172	27 MoReg 1216		

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- 2 CSR 90-10.040 NFPA Manual No. 58 Storage and Handling of Liquefied Petroleum GasesDecember 30, 2002
2 CSR 90-20.040 *NIST Handbook 130*, "Uniform Regulations for the Method of Sale of Commodities"March 9, 2003
2 CSR 90-30.040 Quality Standards for Motor FuelsMarch 9, 2003

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- 2 CSR 110-1.010 Description of General Organization; Definitions; Requirements of Eligibility, Licensing,
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